



# QUEEN'S QUARTERLY

JANUARY, 1899.

I. THE POWER AND TRAINING OF THE PULPIT. By M. M.	161
II. GOVERNMENT BY ESTATES By James Keillog	171
III. HOW PLANTS USE ANIMALS By James Fowles	180
IV. THE FEUDAL SYSTEM IN CANADA. By W. Bennett Moore	203
V. THE ELECTORAL ASSEMBLIES OF ROMK By A. B. Nicholson	216
VI. THE TEACHING OF ANCIENT HISTORY. By W. L. Gray	220
VII. THE ALUMNI CONFERENCE	226
VIII. CURRENT EVENTS	237

PUBLISHED FOR THE COMMITTEE BY  
THE KINGSTON NEWS,  
KINGSTON, CANADA

JUST ISSUED.

# University Addresses

Being Addresses on Subjects of Academic Study, delivered to the University of Glasgow.

— By —

JOHN CAIRD, D.D., LL.D.

Late Principal and Vice Chancellor of the University of Glasgow.

PRICE, - \$1.75.

MAIL ORDERS PROMPTLY ATTENDED TO.

R. UGLOW & CO., (Successors to JOHN HENDERSON & Co.) Kingston, Ontario.

## Queen's University and College

INCORPORATED BY ROYAL CHARTER IN 1841.

THE ARTS COURSE of this University, leading to the degrees of B.A. and M.A., D.Sc., and Ph.D., embraces Classical Literature, Modern and Oriental Languages, English, History, Mental and Moral Philosophy, Political Science, Mathematics, Physics, Astronomy, Chemistry, Mineralogy, Assaying and Metallurgy.

Medals are awarded on the Honour Examinations in Latin, Greek, Moderns, English, History, Mental and Moral Philosophy, Political Science, Mathematics, Chemistry, Physics and Astronomy, Biology.

THE PRACTICAL SCIENCE COURSE leads to the degree of B.Sc. in Civil Engineering, Mechanical Engineering, Electrical Engineering, Chemistry and Mineralogy, Mineralogy and Geology.

THE LAW COURSE leads to the degree of LL.B.

THE THEOLOGICAL COURSE leads to the degree of B.D.

THE MEDICAL COURSE leads to the degree of M.D. and C.M.

Calendars and Examination Papers may be had from the Registrar.

GEO. Y. CHOWN, B.A., Kingston, Ont.

## Westminster Premium Offers

A TWO DOLLAR BILL  
AT THE END OF  
THE CENTURY

\$2

Any person, not now a subscriber, sending us \$2.00 will receive THE WESTMINSTER from the present date until January 1st 1900.

Take advantage of this offer at once, send us at

Two Dollar Bill or a Money Order for that amount and you will receive THE WESTMINSTER every week until January 1st, 1900. Note that holds out the strongest and most attractive features for the coming years; one that is most extensively illustrated; one that promises to be the conspicuous success of the 20th century. The first issue in each month will be an illustrated magazine of not less than 48 pages with a cover, and will alone be well worth the price named. The other issues for the month will be about half this size and will have many pictures.

## Oxford Workers' Bible Another Great Offer

NEW BOOK printed from new plates, on the famous Oxford thin paper, containing the Old and New Testaments with References, Bible Helps, Maps, etc. This book is made by the Oxford University Press, London, Eng., to meet the growing demand for a thoroughly up-to-date comprehensive book for teachers and students, and containing such helps to the study of the Bible as are found of value in actual use from day to day.

This splendid volume is convenient in size, is bound in Levant Morocco, linen lined, with round corners and red under-gold edges. It is printed from large, clear Minion type. Size 5 x 7 1/2 inches.

To any New Subscriber:

The WESTMINSTER every week from the present date to January 1st, 1900.....\$2 50  
The Workers' Bible..... 2 50

all for \$3.00

\$5 00

ORDER TO-DAY.

ADDRESS

The Westminster Co., Limited,

Confederation Life Building, Toronto, Can.

WE PAY POSTAGE.

# QUEEN'S QUARTERLY

VOL. VI.      JANUARY, 1899.

No. 3

All articles intending for publication, books for review, exchanges,--and all correspondence relating thereto--should be addressed to the editors, Box A, Queen's University, Kingston, Ont.

## THE POWER AND TRAINING OF THE PULPIT.

OPINION is divided as to whether the pulpit is losing or gaining power. According to some and from one point of view it is losing; according to others and from another point of view it is gaining. Much depends on sympathy and outlook as well as knowledge of the question. One can but say with which side the preponderance of opinion rests, supporting his judgment by such evidence as he may be able to produce.

To make a good beginning and avoid confusion farther on, let us define our terms. What are we to understand by the pulpit? A widely extended institution, and not individual preachers, whose function is the stated, orderly ministry of the Word. Within these limits, its aim is to educate and reform, to exert a social and civilizing force, to improve the moral condition of the world, and to unite all these ends in one supreme result, the salvation of men.

And what are we to understand by the power of the pulpit? Power may be defined as the capability of producing an effect; intelligent power, the capability of producing a designed effect. The power of the pulpit then is the ability to realize the ends at which the pulpit as a great institution aims, namely, to reform and save the world through the preaching of the Gospel. Sometimes the term influence is confounded with power, and it may be well to keep them separate, since they are not quite the same. The pulpit may be more learned, more true, more living, and

have more inherent power than ever, and yet by force of circumstances be less influential than formerly. Power may be a constant or a growing quantity, yet circumstances may arise by which its effect is more or less neutralized. The skill of brain and hand may be no less now than fifty years ago, but it is less in demand, and earns less than it did then, and the reason is that new circumstances and agencies have arisen which have partially deprived it of its former effect and profit. So may it be with the pulpit. Its real power depends on itself; its influence depends on this power, and a combination of circumstances. This latter fact must be borne in mind as we come to a judgment respecting the loss or gain.

Now, what of this power? Is it less or more than it used to be? Less, according to some. "The decline of the pulpit", "The decay of preaching", "The lost influence of the Church", and other sayings like these, are in certain quarters accepted common-places of our time. But the pulpit has no monopoly of cant, and that is a sample of the kind of cant to be met with outside. "The Church has too readily acquiesced in the view that she is now so little able to be a prime teacher, or guiding light of men in respect of all that is highest, truest, and newest, in what may be known of nature, man, and God. If the Church writes herself down in letters of incapacity, or uninspired force, what wonder that the Age takes her at her own poor estimate"! The Church is not exempt from the law of self-respect any more than other institutions. If she forgets the respect due to herself, it is quite too much to expect the world, her antagonist at every point, to remember it. We are too ready to acknowledge some of the substitutes for her which secularism would thrust upon us. She has done too much for the world's betterment in giving it a Christian civilization, to speak at this late date "with bated breath, and whispered humbleness of realities that are supernal." Let her gird herself, not with the authority of tradition and ecclesiasticism, but that of Truth—strong to-day as in Milton's time—next to God Almighty, and then men will hasten to acknowledge and bless her power.

In attempting to form a correct estimate of contemporary pulpit power, certain circumstances of our time must be considered. Not that they are strictly new, for in some degree they

have always existed, but they now prevail in possibly a more acute form than for a long time past, and are contributory to the apparent decline of pulpit power which some people, friendly and unfriendly, seem willing to admit. Powerful agencies for good have arisen which cross former lines of pulpit activity. Subjects of which the pulpit once had a monopoly are now discussed and largely settled in legislative halls, on the public platform, and by the press; and thus it is brought into competition with widespread forces which formerly either did not exist, or were not so potent as they are now. But the introduction and energetic activity of these forces do not imply that the pulpit has necessarily lost any of its power. The use of steam and electricity has placed new forces at man's disposal, but has not weakened at all those previously in use. The traction power of the horse and the motive power of wind and water are as great as ever. The relation and distribution of influence have been shifted. That is all. The new agencies may be more demonstrative than the pulpit, and still the power of the pulpit may have increased, and the very agencies which are regarded as its rivals may have become means for augmenting its efficiency. There may be no loss, only a new distribution of power.

A great pulpit to-day preaches to the whole Christian world as its congregation. The press takes up its message with avidity, and multiplies it by tens of thousands; and that message becomes a very significant factor in a life more agitated, more active, more influential than of old; and if the life forces are becoming more intensified the pulpit gains, if only indirectly, by sharing in the heat and vitality of these intensified elements.

Is it not a fact also, that this very momentum of a larger life reacts beneficially upon the Church if her preachers are only strong and consecrated enough, and enthusiastic enough, to rise with, nay to lead the flowing tide? Loss in the relative prominence of an agency does not, therefore, necessarily imply a decrease of real or absolute power.

One circumstance which is a standing menace to the power of the pulpit is the aggressive, subtle worldliness of these days. This, of course, is not a new foe, but it wears a new face which often masks its real character, and it ramifies in new directions, reaching out with an octopus embrace for the Church herself,

and deceiving sometimes even the elect. This devotion to Mammon worship is making the preacher's task peculiarly difficult. The amazing material development of the century has intoxicated the world. In the face of this fact, however, the large congregations which listen to the Gospel, and the generous support they give to Christian and philanthropic work, furnish proof, if that were needed, that the power of the pulpit has not yet seriously declined. At the same time it must be confessed there are large wastes the pulpit does not reach. Although multitudes throng the Churches, multitudes also are impatient of being taught even in centres where the pulpit is endowed with gifts of the highest order. And what to do to overcome this impatience and apathy is a problem of grave concern. Some of the expedients used are worse than failures. When the pulpit degrades itself and furnishes sensational attractions in competition with its worldly rivals, and abdicates its high office of speaking to men of the love and righteousness of the Eternal Father, even those who go to be amused do not hesitate to pour their scorn on the religious show. They accept such preaching at its own low valuation. Worldly methods are blighting the pulpit. Men cannot serve God and Mammon. As Ezekiel said of many of his day: "Their heart goeth after their covetousness." Anything to gain the world. The excitement and feverish haste and unscrupulous methods of our time—what do they all mean? The answer is, hasting to be rich. And the pulpit may not have wholly escaped the contagion. When that happens the preacher may preserve his integrity, but sanctity of character he does not impress. His message may be good yet makes nobody tremble. He is an occupant of the pulpit but not a preacher. He is tainted with the worldly spirit. The divinity is dead within him. He is like the watchman of whom the prophet speaks, a dumb dog that cannot bark. The world-spirit has muzzled him. And "the friendship of the world is enmity with God."

Again, the recent development of scientific interest has introduced a cultus quite unfriendly to the pulpit. Some of us are old enough to remember the dreary time when the pulpit was in a panic, and the scientific high priests of the day spoke of its conception of the universe with contempt, the time when Tyndall

and Huxley and Romanes and Haeckel and others championed science and natural law as the highest religion for man. And we still feel the swell of the controversial storms which then swept over the world of religious thought. The panic has largely passed away. Some modifications and adjustments of opinion have taken place. Some additions have been made to our thought about the universe. But the pulpit is still with us, and its voice is heard in more places than ever before over the broad face of the earth, breathing the noblest inspiration into the lives of men.

The pulpit feels, in the first place, the influence of science in the engrossing attention which the latter receives in so many quarters, to the exclusion of any visible external attention to religion, and in the practical alliance of science with the worldly and materialistic spirit; and the Church, remembering the bitterness of the conflict between herself and science, and the fear which for a time almost unnerved her heart, is still shy of that cultus as a handmaid, although the controversy has largely subsided, and she remains unshorn of her glory and office as the supreme benefactress of men. It is now for the pulpit to show that even science is not to remain a preserve and weapon of the world-materialistic spirit; and that it is easily convertible into a valuable auxiliary and agency for gaining high Christian ends. Truth is one, and there must be a place and use for all truth in the service of Him whom the Church delights to crown "the Lord of all."

In the second place, the pulpit feels the influence of science in the modified conceptions of the world which are now freely disseminated, and as freely accepted, by large numbers of people, thoughtful and unthoughtful alike. These are facts which the pulpit cannot ignore. Newspapers, magazines, fiction, textbooks, schools, colleges are saturated with these conceptions of the world, conceptions which, true or false, glide easily enough and without shock into the minds of the young, but which for the old and middle-aged in this country verily change the whole frontiers of thought. What finely tempered courage, what delicacy of insight, what passion for souls, what wide intellectual and ethical discipline, what sense of the indwelling of God must he have who deals wisely with these things, or, wisely deals not with them! But they are here with us and refuse to be suppressed. They have entered into the thought and character and life of this

generation, and the pulpit must reckon with them. In this same connection the question of Biblical criticism may be mentioned, for it also is a disturbing factor in the religious life of the present day, and the pulpit has to take note of it and separate "the precious from the vile." Like science it is floating in the intellectual and religious atmosphere we are breathing every day, and shutting our eyes to facts, welcome or unwelcome, will not abolish them. It is wiser to find for them a place and relation in the kingdom of the truth.

Another unfriendly circumstance with which the pulpit has to cope is the skeptical temper. This temper is sometimes born with men, and may exist quite independently of external stimulating causes. The form of it best known to the pulpit springs mainly from the worldly mind, from pride of intellect, from a frivolous disposition, from ugly moral rents in the character which the offender tries to conceal from himself by dropping into unbelief, and from some forms of the scientific and philosophical spirit. And it is met with in all classes. The temper of the few becomes the leaven of the many through personal contact, the platform, and current literature. "This underlying skepticism removes spiritual objects to an infinite distance, and leads to a concentration of the energies on other things, such as wealth, pleasure, art, or whatever desirable object is supposed to be within reach." The skeptical spirit and the worldly spirit, being kin, join forces and promote each other. Accordingly, much of the time formerly devoted to sowing and cultivating the seed must now be spent in removing rocks and thorns from the soil. Perhaps in no period has the skeptical temper manifested itself more freely or openly than it does now. True, it has not the gross, shameless quality of some past forms, but its intellectualism and refinement, its attractive literary and scientific dress, may only render it the more insidious and dangerous. This temper is, doubtless, the most formidable of all the forces which counteract the power of the pulpit, and more particularly, whenever it causes the utterance of the pulpit itself to be less positive, or less emphatic, or less eloquent. Looking at these hindrances and no farther, there are those who, though ever so well disposed, speak with gloomy apprehension of the power and future of a great and historic institution.



On the other hand are those, and they constitute an overwhelming majority, who believe that the pulpit's influence is not only more widely extended than ever before, but that its voice is as a rule more clear and emphatic; that it has never been more thorough, never more learned, never more intent on the union of doctrine and life. Comparing man with man, the preacher easily ranks in personal influence and worth with the strongest and most influential men of his community. And the stars of the pulpit are not eclipsed by the stars of any other profession. Their parish is the wide Christian world. But even should this contention remain unchallenged, the pulpit, in view of human conditions and needs present and to come, must not imagine that its method or power or influence has reached finality. Locally it must be kept fresh and resourceful, and ready for every new demand and emergency; so also, and for similar reasons, must the Church at large.

In the first place, may one venture to ask whether our Universities and Theological Schools are adequately alive to the needs of the preacher? More: are they adequately equipped to give him the training required by the necessities of the time? I include the Universities because of the enormous influence they wield in the direction and quality they give to the culture and opinions of the Church students who pass through their disciplines before entering on their theological studies. In my judgment, the University which has the moulding of a young man's mind for four years or longer fosters and consolidates a mental and moral temper in him which two or three brief theological sessions will scarcely affect one way or another. Do the Universities and Theological Schools keep in view the fact that these young men are to be preachers, and arrange their whole course of study so as to bear on that one thing above all else? In a school of Engineering, or Mining, or Surgery every part of the curriculum from matriculation to graduation contemplates the making of an engineering, or mining, or surgical expert. Theoretical work and practical work go hand in hand from start to finish. Such a course commends itself as eminently fitted to graduate proficient men. To be sure, in our Divinity Schools a few essays are written, and a homily, a lecture, and a popular sermon are delivered; but it is safe to say few ministers ever venture to offer

any of them before a congregation when preaching for a "call". One does not forget the lectures on Homiletics and Elocution, but they are seldom known to fit organically into the rest of a preacher's education. Learning as a discipline or an accomplishment is one thing; as an equipment for a great calling it is quite another. The preaching of the Gospel is, as the pulpit fondly believes, the greatest of all human vocations; is the training for it, from the first appearance of the young candidate before his Presbytery, until he is ready for ordination and the pastoral office, a unity, and so designed and conducted as to make him a "workman approved unto God, and that needeth not to be ashamed, rightly dividing the word of truth"? Does the training aim to make preaching the most consummate and masterly of arts—the art of building up the Divine in man? "It is for that end and issue that we wed every form of human knowledge to the knowledge of God." How far are our colleges keeping these questions before them? How far the young men themselves? The matter is practically entirely in the hands of colleges and students, for the oversight of the Presbytery, one might add of the Church also, amounts to nothing. Are the Theological Schools keeping in close enough touch with the people to know how modern thought is affecting them, and what kind of training best meets the needs of the age? A Scottish Theological Professor says that "What we call public opinion should, according to all Protestant principles, have been Church opinion. When the Church comes to be regarded as a body standing apart from the nation in intelligence and culture, ground has been lost. And when the University is believed to be out of sympathy with, or not in full sympathy with the spirit of the times it has suffered in prestige." Another Professor of the old land says that "Academic Conventionalism is the most impotent of tempers, and the most depressing of habits." It will be readily conceded that the University and Theological education for the pulpit is a matter of the first importance, for it is of little value if it cannot be converted into efficient preaching power. The Church needs scholars indeed, men of the most thorough and varied accomplishments and gifts, but above all, she needs preachers.

The question may also be asked, Are the preachers themselves fully alive to their own requirements? The "Learning of

the schools," and the intellectual and moral temper of our time can do much for them, but when all is done, they must, next to the Spirit of God, be their own best helpers. Let me recite a few well-worn truths, but still as good as gold.

The pulpit must be made more perfectly a *living personal* testimony to the truth. The truth of Scripture vitalized in the experience of the preacher is the testimony. Without this personal vitalization, not only of Scripture, but of all truth germane to the message, how can there be any living inspiration? And how can mind become subdued to mind without such living inspiration in them that teach? The man and his message must be one. The robe like the Master's must be seamless. It is to the glory of our calling that this closeness of bond between the man and his work exists nowhere else in the world. Says the poet :

"I venerate the man whose heart is warm,  
Whose hands are pure, whose doctrine and whose life,  
Coincident, exhibit lucid proof  
That he is honest in the sacred cause.  
To such I render more than mere respect,  
Whose actions say that they respect themselves."

"His way of living.—Oh! that is nothing to me; it is of his legal, or medical opinion I am thinking". So may one hear it spoken of lawyer or physician any day, but never of a minister by any self-respecting person. Even the ungodly are quick to mark and condemn incongruity between the sermon and the preacher's way of living. We need, therefore, more than ever a pulpit in which God's truth for men is not merely quoted or paraphrased, but, deeply personal and broad-based, is wrought into convincing utterance through the experience of the consecrated heart. There is the difficulty, there is the Church's weakness. For really to attain to that never has been easy. Least of all is it easy in an age so saturated with worldliness, and covert and open skepticism as our own.

Next, the pulpit must cultivate an instinct for discovering the real religious needs of men. Very good and eloquent men may not have this instinct. Why were the sermons of Chrysostom, and Bernard, and Luther, and Wesley, and Whitefield so powerful in their day, and why so uninteresting now? Because

they were so wonderfully adapted to their own day and are not at all adapted to ours. We must take into account the character of the age as well as the nature of the truth. Jesus always preached the *needed* truth *as needed*. His was a Divine tact. What labor and truth we waste, and what souls we lose for want of tact! The unadapted truth is music to the deaf. Yet the adaptation of truth to the audience is only the means not the end. The neglect or perversion of this rule is the degradation of the pulpit, opening the door for all sorts of fantastic tricks and expedients to attract a frivolous public attention, and stooping

- "To conquer those by jocular exploits  
Whom truth and soberness assailed in vain."

To secure attention is most legitimate, but the use of unworthy methods defeats so good an aim, for if the truth is degraded how shall the people be exalted? An entertaining is not always an edifying sermon. The state of the hearer is the starting point; the divine life in Christ is the goal.

In truth, the difficulty which the pulpit encounters in this work of adaptation is very great. New situations and problems are constantly arising, and for a time, and without any fault of its own, the pulpit like other institutions under similar conditions is bewildered, and unable to find a point of contact. Friends of social and other reforms, but unacquainted with the usual lines of Christian work, often do not appreciate the complex, delicate task involved in this adjustment, and grow impatient and harsh in their judgments, and charge the pulpit with insincerity, or temporizing timidity, or self-interest—in all which they may be utterly wrong, forgetting how diverse the needs, the temperaments, the degrees of intelligence and culture it has to deal with. Moreover, many a preacher in the terrible flux and instability of opinion is sorely puzzled what to make of things for himself. At the same time, to meet the dogmatism of the worldly or socialistic or skeptical spirit with the dogmatism of academic theology will not long satisfy an intelligent community, and dull is the preacher who does not soon discover the fact. But unless he has as firm a grasp as any of the matter in hot dispute, he had better not meddle with it until the atmosphere clears and he sees his way. If, however, he has mastered it and got his feet upon the firm ground of reality, as far as may be,

in respect of God, and the world, and the Bible, and man, and salvation through a Redeemer, then how strong he is, and how quickly his hearers discover it, and give him their confidence, and imbibe his spirit.

The preacher must, in fact, be a theologian. Curiously enough, he may begin and continue his work for many a year with the slenderest possible knowledge of a practical theology, the science of applied Christianity. He ought, in the first place, to have a reasonably familiar acquaintance with the speculative and social questions which day by day are calling more urgently for solution. His theology must be such as can accept the responsibility of meeting them. He is the religious teacher of the community. Morality has its root in religion; and these social and speculative questions touch morality and life at every point. The preacher must satisfy them, not with answers which were shaped to meet other and past conditions, evading his responsibility through fear or indolence, but with "new things from the treasury of God." He must deal with them, not from without, but on the basis of intelligent sympathy, as phenomena of that vaster social life in which we all share, and by which we are all moved; for they present, in a word, the field on which the preacher can accept in the name and in the strength of his faith the challenge which is thrown down to him on many sides, and show that the facts of the Incarnation, the Passion, the Resurrection of Christ contain that which will meet the wants of the latest age. He will take his stand calmly and enthusiastically on Christ. This is his peculiar work as a Christian teacher. And it furnishes the correct theological view-point from which to regard the present.

Then, again, a theological view-point of the past is necessary, and should be as clear as light to every well-furnished preacher. He must adventure the future; he ought to know the past. To understand the present, to plan for the future, he must be master of the past, and of the trend of its theology. Accordingly, he must survey the whole course of historical Christianity, and by earnest examination and reflection master its principle and method of development, and thus raise himself to perfect certainty of his faith, so that out of his own innermost conviction he may bring forth Christian truth for the

daily life of his congregation. He will then work among his people, not as a simple believer who preaches the opinions of his own individual faith and the views of his own Church, but as a Christian man whose faith rests upon a conviction nourished by facts as wide in their range as the Bible and the Christian Church. And by means of this knowledge of the work of the Divine Spirit down through all the vicissitudes of the Church's life, the preacher will be able to enrich his teaching, strengthen the faith of his hearers, promote their spiritual life, and safeguard them against the assaults of fear and sin. In a word: all knowledge and experience must be thrown into the melting pot of the preacher's own discipline and consecration, and out of it will come the concentrated and sanctified power that will speak to the conscience of man with authority in the name of the love and righteousness of the Heavenly Father, and of the brotherhood of man to man.

"The pulpit (in the sober use  
Of its legitimate, peculiar powers)  
Must stand acknowledged, while the world shall stand,  
The most important and effectual guard,  
Support, and ornament of virtue's cause.

There stands the messenger of truth; there stands  
The legate of the skies!—his theme divine,  
His office sacred, his credentials clear.  
By him the violated law speaks out  
Its thunders; and by him, in strains as sweet  
As angels use, the Gospel whispers peace.

He establishes the strong, restores the weak,  
Reclaims the wanderer, binds the broken heart,  
And, armed himself in panoply complete  
Of heavenly temper, furnishes with arms  
Bright as his own, and trains by every rule  
Of holy discipline to glorious war,  
The sacramental host of God's elect."

M. MACGILLIVRAY.

## GOVERNMENT BY ESTATES.

---

THE idea of a constitutional government in which each class of society should, whenever it was fitted for the trust, be admitted to a share of the power and control, never appears to have suggested itself to the minds of the medieval politicians. Nevertheless this has been the end towards which the development of national life in Europe has constantly tended, though the steps towards it have not been taken to suit any preconceived theory, but have been taken rather to draw forth the energy of the united people in some great emergency, or to induce certain classes to grant contributions of money.

In spite of the varied circumstances and results we find that in each of the great European countries, it was in the thirteenth century that national assemblies composed of properly arranged and organised Estates were introduced or consolidated for the first time since the establishment of the feudal system of government.

What is an assembly of Estates? It may be defined as "an organised collection, made by representation or otherwise, of the several orders, states or conditions of men, who are recognised as possessing political power." A national council of clergy and barons could not, then, be called an assembly of estates as it does not include the body of the people. On the other hand, a county court, though it did not have in England the powers possessed by the provincial estates on the continent, was in reality an exhaustive assembly of this character.

In all the European constitutions we find a similar division of the political factors into three estates, with, of course, some minor variations; this arrangement depends on a principle which appears to be almost universally accepted, namely the distinction between clergy and laity, the latter being subdivided according to the custom of the nation into noble and non-noble, patrician and plebeian, warriors and traders, landowners and craftsmen.

In England, it appeared likely at one time that the Scottish system would be adopted, namely, the division into lords, lay and clerical, the commissioners of the shire, and the burgesses; at another the county and borough communities continued to assert

an essential difference, and ultimately the three estates of clergy, lords, and commons became the political constituents of the nation.

The name "commons" is hardly a suitable term to designate the third estate; it does not denote primarily the simple freemen or plebs, but the plebs organised and united in corporate communities for particular purposes. The commons are the "communitates", the organised bodies of freemen of the shires and towns; and the estate of the commons is the "communitas communitatum", the general body into which those communities are combined for parliamentary purposes. Hence the term, as applied to the class of men that is neither noble nor clerical, is taken from the political vocabulary, and does not indicate any primary distinction of class. Besides, the shire and borough communities are the collective organisations paying their taxes in common through the sheriffs or other magistrates, and are represented in common by elected knights or burgesses; thus they are the represented freemen as opposed to the magnates, who live among them but receive a special summons to parliament; they are the residue of the body politic, the common people, so called in a sense entirely different from the former. We must remember, however, that the term "communitas" has many different meanings in constitutional phraseology; sometimes it is applied to the whole three estates, sometimes to the governing body of the nation, and sometimes to the body of representatives. As ordinarily used, then, the title of "commons" may claim more than one derivation, besides that which is supplied by history.

The commons are the third estate; the question of precedence would scarcely arise between the barons and the clergy, but we find that, both in England and other countries, the latter have, through courtesy, been given first place: so that the order of the estates is clergy, lords and commons. The king has never been regarded as an estate of the realm, but as supreme, in theory if not in practice, the head, rather than a limb of the body politic.

In the witenagemote of the Anglo-Saxons we find a council composed of the wise men of the nation; in the court of the Norman kings we find a similar assembly with a somewhat different qualification; and in that of Henry II. we have a com-



plete feudal council of the king's tenants. In the thirteenth century the feudal council is turned into an assembly of estates, the constitution of the third estate being drawn from the ancient local machinery which it concentrates. But the process of the establishment of this system was a matter of growth, and hence we must inquire, first, how the two first estates became separated from each other, and, secondly, what were the steps by which the representative system was completed.

In the first or spiritual estate is included the whole body of the clergy, whether endowed with land or tithe, whether dignified or undignified, whether sharing or not sharing the privileges of baronage. In its spiritual character this estate possesses an internal cohesive principle, and the main question is to determine in what way the material bonds between it and the temporal estates were loosened so far as to give that cohesive principle its full liberty. This affects chiefly the prelates or ecclesiastical lords. Though during both the Anglo-Saxon and Norman periods the ecclesiastical and temporal magnates were distinct both in character and functions, yet as counsellors it is very hard to distinguish the action of each. The ealdorman and sheriff never usurped the function of the bishop, nor did the bishop, as a spiritual man, lead an army into the field; if he ever did so, or acted as a secular judge, he did it as a landlord, and not as a bishop. In the court of the shire the ealdorman declared the secular law, and the bishop the spiritual. In the witenagemote, however, no definite line of this kind was drawn between lay and clerical advisers. Under the Norman sovereigns there was no division of the great council into bishops and barons, though when ecclesiastical questions were raised, the prelates frequently took advantage of their spiritual organisation, which they possessed in addition to their baronial status, to sit and deliberate by themselves. Even after the formal adoption of the system of taxation, as it was under Henry I. and Henry II., the bishops and abbots sat, as tenants-in-chief, with the barons to grant aids, took part in the judicial proceedings of the supreme court, and advised the king. Thus while there always existed a radical distinction between layman and clerk, yet in all constitutional action the spiritual character was sunk in the baronial, and the prelates and barons held their places by a common tenure, and as one body.

From the time of the conquest, however, causes had been in operation whose natural tendency was to force the clergy to realise their constitutional place, and to bring about a real union of the prelates with the inferior clergy. The first of these causes was the growth of conciliar action in the church under Lanfranc and Anselm. In the ecclesiastical synods which were established the clergy had a common field from which the barons were excluded, and a principle of union next only to that inherent in their common spiritual character. In the different synods of the nation, the province and the diocese, the clergy possessed a complete constitution; the assemblies were composed not only of the prelates, but of the chapters, the archdeacons, and also the parochial clergy. Thus the clergy had an organisation which was in most respects the counterpart of the national system of court and council.

Another cause tending to produce unity among the clergy was the introduction and growth of canon law, the opening for which was made by the act of the conqueror forbidding the hearing of ecclesiastical causes in the popular courts. By this the clergy were removed from the jurisdiction of the common law, and thus a double system of judicature arose; bishops, archdeacons, and rural deans had their courts of justice as well as their councils. Men were led to study this new system of law more closely through the persecution of Anselm, the weakness of Stephen and the controversy with Becket; while the legislative abilities of the archbishops were scarcely equal to the task of following the footsteps of Alexander III. and Innocent III.

Thirdly, the struggles for clerical liberties and immunities, fought out under Henry I. and Henry II. had revealed to all men the growing differences of status. The frequent appeals to Rome, the action of legates, the increased number of questions that sprang up between the temporal and spiritual powers throughout christendom generally, all tended to impress a distinct mark on the clergy.

But it is in the point of taxation of property that the distinctive character of the clergy chiefly asserted itself. The taxable property of the clergy consisted either of land under the name of temporalities, or of tithes and offerings, known as spiritualities. So long as taxes were imposed only on the land there was no

hindrance to the bishops acting constitutionally with the barons, paying scutages for their military fiefs and carucages, and for their lands held by other tenure; but when the spiritual revenues began to be taxed, the clergy in general were touched in a point in which the laity had nothing in common with them. It roused a professional jealousy which was abundantly justified by later history. The constitutional action of the clergy was developed by the taxation of spirituals, just as that of the commons was developed by the taxation of moveables.

Up to the reign of Stephen there appears to have been very little difference between the King's treatment of the castles and estates of the bishops and of the barons. In the reign of Henry II. bishops and barons alike were required to give an account of the knights' fees held of them, and to pay accordingly. The ordinance of the Saladin tithe was perhaps the first occasion on which a regular tax was levied on revenue and moveables, and it is scarcely likely that the revenue of spirituals was exempted; but this tax was levied for an ecclesiastical purpose and was imposed by a larger council than was usually consulted. Again in the case of Richard's ransom no mention is made of the exemption of revenue of spirituals, but this was an exceptional case. In the carucage of 1198 no taxes were imposed on the freeholds of parish churches, and it is improbable that during the remainder of the administration of Hubert Walter any unusual demand was made upon the clergy.

Under John, however, there was a great increase in the demands upon the clergy. In the early part of his reign several demands were made of the result of which we have no account; but after the death of Archbishop Hubert this obscurity came to an end. On the 8th of January, 1207, the bishops were summoned by the king and asked to permit the beneficed clergy to pay a part of their revenues for the recovery of Normandy. No decision was given at the time, and the request was made again at Oxford on the 9th of February, but was unanimously refused, and the king was forced to content himself with a thirteenth of moveables and whatever voluntary gifts the clergy might grant individually. A short time after this a demand of pecuniary aid was made by Innocent III., but John forbade the granting of such aid. In 1219 a twentieth of church revenue was assigned for

three years to the crusade. In 1224 a carucage was granted by the prelates separately from the barons ; in 1225 when the nation generally paid a fifteenth, the clergy granted an additional sum from the property that did not contribute to that tax. In 1226 the beneficed clergy by request of the pope granted the king a sixteenth for his own necessities ; in 1229 Gregory IX. demanded a tenth for himself.

It was from such demands for grants from the spirituality that the custom arose of assembling the clergy in separate assemblies for secular business, a custom which has had a very great influence on the history of parliament. In 1231 the bishops objected to a scutage imposed without their consent ; in 1240 they rejected a demand of the legate because the inferior clergy were not represented. Public questions began to be discussed more frequently in ecclesiastical assemblies as these assemblies assumed a more definite constitution and consistency under oppression. The numerous petitions for the redress of grievances show the growing spirit of independence among the clergy, as well as the determination of the king and pope to crush it. By their action on such occasions the clergy gradually developed a distinct organisation as an estate of the realm, asserting and possessing deliberative, legislative, and taxing powers.

It is a more difficult matter to determine definitely the circumstances that drew the line between lords and commons and so defined the estate of the baronage. The result, however, is evident ; the great landowners, tenants-in-chief, or titled lords, who appeared in parliament in person, became separated by a broad line from the freeholders, who were represented by the knights of the shire. Legal authority fixes upon the reign of Edward III. as the period when this separation was completed, and recognises as the immediate cause of it the change in the character of qualification, from barony by tenure to barony by writ. This authority, however, settles the question of personal and family right rather than the intrinsic character of the baronage.

We might expect an hereditary baronage to be characterised by some distinction of blood, or by the extent and tenure of its lands, or by some definitions of law and custom, or by the possession of peculiar privileges bestowed by the sovereign, or by the coincidence of some or all of these.

The baronial estate in England differs from that of the continent in the absence of the idea of caste. Under the English system there is no legal recognition of nobility of blood as conveying political privilege. The English law recognises merely the right of peerage, not the privilege of nobility as properly understood. It recognises office, dignity, estate, and class, but not caste. The children and the kinsmen are given no privilege by the law which is not accorded to the ordinary freeman.

It is not, then, the nobility of blood that supplies the principle of cohesion, or separates the baronage from the other estates. We must next consider the question of land tenure. According to the feudal theory all the king's tenants-in-chief were members of his court and council, and since their estates were hereditary, their office of counsellor was also hereditary. In practice, however, the title and rights of baronage became gradually limited to the greater tenants who received special summons to the council and the host, and the baronage of the thirteenth century was composed of the body of tenants-in-chief who held a fief or a number of fiefs consolidated into a baronial honour or qualification. This qualification, however, was not created by the possession of a certain extent of territory, nor by the mere fact of tenancy-in-chief, which the barons shared with the knights and freeholders holding of the crown. It is probably impossible to decide whether the baronial honour or qualification was created by the terms of the original grant of the fief, or by subsequent recognition. About all that we can with certainty affirm is that, whatever the form in which the lands were acquired or bestowed, the special summons recognised the baronial character of the tenure, that is the estate was a barony which entitled its owner to such special summons.

But though the extent and nature of tenure of land may not provide an explanation of the origin of the distinction, they do furnish a clearer explanation than the theory of nobility, of the causes of the distinction of the baronage as an estate. During the twelfth century a great struggle was made by the feudatories for the possession of political power and jurisdiction. These attempts were frustrated by Henry I. and Henry II., but no attempt was made by these kings to limit the other parts of the feudal theory, on the contrary, it was in their reigns that many

of the innovations were introduced, which, by developing the land-laws, gave considerable impulse to the growth of the baronage as a separate class. The rule of succession by primogeniture was established in the reign of Henry II. It was also during the thirteenth century that the rule seems to have been at least partially established that the tenant must not alienate his land without the consent of his lord. The various acts passed during the thirteenth century for the purpose of restraining alienation, whether they were general or whether they affected only tenants-in-chief, no doubt tended to the concentration and settlement of great estates and so must have increased the distinction between greater and smaller landowners.

The character of barony is recognised rather than created by the definitions of the law; but the observance of the rule of proportionate payment of reliefs, the special provision that the baron must be amerced by his equals or before the royal council, and the rule that he must be tried only by his equals, undoubtedly served to mark out who those equals were, and so to give greater consistency to a body already restricted and beginning to realise its definite and common interest.

It was, however, by the royal action in summons, writ, and patent, that the baronage was finally created and defined as an estate of the realm. It was by special summons "*propriis nominibus*" that Henry I., Henry II., and the barons of Runnymede, distinguished the greater from the smaller vassals of the crown. Thus the constitutional change which finally decided the character of peerage was the making of the status of the peers depend on the hereditary reception of the writ, rather than on the tenure which had been the original qualification for summons.

As early as the reign of Henry I. traces are to be found of a class of vassals who in addition to receiving special summons to council, had special summons to the host, and led their own dependents to battle. Under Henry III. and Edward I. the custom was either continued or introduced of summoning by special writ to the council a much smaller number of these "*majores barones*" than were specially summoned to perform military service. It is to this body of select hereditary barons, that the term "*peers of the land*" is properly applied. The year

1295 may be assigned as the date from which the baron, whose ancestor has been once summoned and has once sat in parliament, can claim an hereditary right to be so summoned. From this time, therefore, membership of the parliamentary baronage implies both tenure and summons. The political status of the body so constituted is thus defined by their successors: "The hereditary peers of the realm claim, (1) in conjunction with the lords spiritual, certain powers as the king's permanent council when not assembled in parliament, (2) other powers as lords of parliament when assembled in parliament and acting in a judicial capacity, and (3) certain other powers when assembled in parliament together with the commons of the realm appearing by their representatives in parliament, the whole now forming under the king the legislature of the country."

We must next consider the formation of the third estate or House of Commons. This body was formed by the union of the knights of the shire with the representatives of the boroughs.

The first authentic evidence we have of the presence of representative knights of the shire in parliament is in the year 1254, at which date the royal writs direct the selection and attendance in parliament of two knights from each shire. Again in 1265, Simon de Montfort called together in Henry's name a national council, to which were summoned (1) a small number of barons, (2) a large number of the higher clergy, (3) two knights from each shire, (4) two burghers or citizens from every town. Here we find the first instance of the summoning of the second branch of the commons, the representatives of the towns. By this act Earl Simon set the example of giving the people at large a fuller share in the government than they had hitherto enjoyed. De Montfort, however, may not have been actuated by the highest motives in taking this step. During the war he had got his greatest support from the towns and so might expect likewise to secure from them representatives favorable to his government. His parliament was therefore not so much representative of the nation as of his followers in the nation.

This scheme of representation introduced by De Montfort was adopted by Edward I. in 1295, so that this last date may be accepted as fixing finally the right of shire and town representation. This parliament differed from all that had preceded it, and

was a model which has been followed substantially ever since.

Gradually the knights of the shire and the representatives of the towns began to draw together, and in the reign of Edward III we find them uniting and sitting apart from the Lords as a distinct House of Commons, though at first they did not claim an equal power with the Lords, but acted rather as humble petitioners for redress of grievances.

The causes that led to this separation of the knights of the shire from the barons and their union with the burghers are of two kinds: (1) negative, those which tended to separate them from the barons; (2) positive, those that tended to unite them with the burgesses.

That part of the third estate represented by the knights of the shire contained not only the rest of the tenants-in-chief, not included among the barons, but all the freeholders of the county, and hence the elected knights were the representatives of all who met in the county courts. In practice the selection of representatives would depend on the chief landowners, whether they held of the king-in-chief or of a mesne lord. In theory their bond of union lay in their common membership of a particular shiremoot; but as a political body they had class interests and affinities, and we might naturally expect their sympathies to be with the barons.

We find, however, that from the time when the Conqueror exacted the oath of fealty from all landowners, that the kings seem to have depended on the provincial knights and freeholders for help against the great feudatories. The tyranny of the great barons would fall first on their own vassals; while the smaller landowners would lie in a position to be coveted by their greater neighbours. Hence the two classes would be drawn together by common dangers. These sympathies were turned into a feeling of real unity by the efforts made by the kings, especially by Edward I. to eliminate the political importance of tenure. The obligation to receive knighthood, imposed on all who owned enough land to furnish knightly equipment, the common service in war, and the attempt to compel foreign service, all helped to draw the two classes together. The abolition of subinfeudation in 1290 increased the number of minor tenants-in-chief and tended to diminish the difference between the two classes.

Besides being drawn together by common dangers and by



the royal policy both classes of freeholders had another bond of union in the work of the county court.

In addition to these causes their presence in the national council as representatives would tend to separate them from the barons and to draw them to the representatives of the towns.

There were also various social influences that operated to bring the townsmen closer to the freeholders. The younger sons of the country knight would seek wife, occupation or estate, in the towns. The small landowner and the tradesman met on similar terms and were drawn together by both local and political sympathies. Such were some of the chief influences that led to the union of the knights of the shire with the burghers, to form the third estate of the realm, the House of Commons. The third estate as it is constituted in England differs from the same estate in other countries of Europe in that it includes the landowners below baronial rank. In most of the other systems it contains only the representatives of the towns or chartered communities. It was this shire system which constituted the strength of the third estate in England. In the knights of the shire lay a concentration of the powers of the county courts. They formed a body which not only helped to link the baronage with the burghers, but which the crown could not diminish at will as it could the number of barons or of the representatives of the towns. These knights were also men who generally exhibited a spirit of independence, and who could not be crushed as was the Spanish cortes by Charles V. and Philip II. Their rights were not rooted in royal privilege which the giver might take away, but in the most primitive institutions and in those local associations which are practically indelible.

Such were the divisions of the three estates of the realm, but there were many subordinate distinctions, cross divisions, and a large residue which lay outside of the political body. But though the classification is not an exact or an exhaustive division of all sorts and conditions of men, yet it presents a rough summary of the political constituents of the kingdom, and it was the arrangement on which the theory of the medieval constitution was based.

Before going on to examine the powers of the body thus composed, it may be well to inquire who were the electors of the

representative members. On any just theory of representation, the elected members should represent those who had not the right to appear personally in the assembly, and they should be elected by the persons they represent. The knights of the shire were the representatives of the community of the shire which was represented by the county court. While there is considerable variation of opinion on the subject, the general conclusion seems to be that the right of electing knights of the shire belonged to the whole body of suitors at the county court. It is, of course, quite probable that this theory may not have been put in practice, as no doubt many of the tenants-in-chief possessed a great deal of influence in the county courts and used it to sway the election of representatives. It is a matter of greater uncertainty who were the electors of the borough members. From what records we have it would appear either that the members were nominated in the borough assembly, or that delegates were appointed in that assembly to elect them, and a return thereon made to the sheriff before the election took place in the county court.

We must next consider the question to what extent and by what degrees the new elements of parliament were admitted to an equal share with the older elements in the powers which were already secured or asserted, and to what extent and by what steps the commons were placed on a constitutional level with the other two estates.

Before the end of John's reign the following rights had been secured by the great council of the nation : (1) With regard to taxation they had secured the concession that no tax except the three feudal aids should be levied without their consent given in an assembly duly convoked. They had also been consulted as to the manner of assessment and had given advice and consent to the way in which the taxes were to be collected. (2) In legislation their rights to advise and consent had been formally recognised and they had exercised a power of introducing amendments of the law by means of petitions. (3) In judicature they had exercised the right of accepting and ratifying the judgments of the king against high offenders. (4) As a supreme deliberative council they had been consulted on questions of foreign policy, of internal police and national defence, and by a series of acts of election, acknowledgment, and acceptance of

the kings at their accession ; they had also secured a recognition of their right to regulate the succession.

During the minority of Henry III. these rights were fully maintained, and in some respects enlarged. In taxation they had several times refused grants demanded by the king, and when they did grant money they carefully prescribed the manner of assessment and collection. In legislation they had not only taken the initiative by petitions but had refused their consent to changes in the law, in words which were accepted as the statement of a constitutional fact. Though their judicial power was lessened in practice by the strengthened organisation of the royal courts, it remained in full force with respect to high offenders, and causes between great men. In their general political power there was a great increase ; they had determined the foreign policy of the crown ; had not only dismissed the king's minister but had placed the royal power itself in commission, and had drawn up a new constitution for the nation, and imposed new oaths on the king and his heir.

Other claims besides these were also made by parliament, one of the chief being the principle that grants of money should depend on the redress of grievances, and that parliament should determine to what special purpose the supplies should be appropriated, a claim which was admitted by the royal advisers. The right to control the action of the king by a resident elective council was also asserted ; but, though Henry was compelled to accept these terms, he refused to admit them as a matter of right, and they were finally rejected with the full consent of the nation.

In the early part of the reign of Edward I. all the privileges that had been used or gained under Henry III. were fully exercised. In the later part of the reign additional rights were acquired by the constitutional organisation. But there were two drawbacks which materially affected the value of the rights of parliament ; (1) the king's prerogative, (2) the right of the individual.

Though the national council had acquired the right to be consulted on all four points of administrative policy, yet it had not secured the exclusive right to determine that policy. Taxes might be granted by parliament, but the king could claim the

usual aids without consulting parliament, could increase the customs by separate negotiations with merchants, and could at any time secure money by bargains with private individuals. The laws were issued with the advice and consent of parliament, but legal enactments, such as assizes or ordinances, might still be issued without such consent. The king's court, or *curia regis*, might be used to defeat the right of the barons to be judged by their peers. And the political action of the crown could be determined, both in foreign and domestic matters, without reference to anything but the royal will.

The second difficulty that arose was regarding the rights of individuals to consent to, or dissent from, measures that were enacted; such as taxes imposed by the national council. Of course the refusal of an individual baron could easily be overcome by force; the claim of a particular community to refuse a tax to which its own representatives had not assented might be overcome in the same way. The refusal of an estate of the realm to submit to taxation to which it had not consented was a different matter, and such a refusal was made by the clergy in 1254.

For a long time the practice had been to take the consent of the communities by special commissions. In the year 1295 these special commissions cease and the communities appear by their representatives to join in the act of the sovereign body. Henceforth the three estates, through making their grants in different measure and by separate vote, were fully represented, and acted in taxation, as in other matters, as a consolidated parliament. The right of regulating taxation was not limited to direct grants of money, but extended also to the regulation of the customs. In 1297 the king, in confirming the charters, recognised the exclusive right of parliament to authorise taxation. Thus the right of the commons to a share in the taxing power of parliament was admitted.

It was in a somewhat different way that the right of the three estates to share in legislation was established. The consent of individuals was of much less importance in the enacting of a law than in the levying of a tax. The tax was granted by the nation, while the law was enacted by the king. The tax might be consented to by the nation in different ways, by estates,

by communities, by individuals or corporately in parliament. But the law was enacted once for all by the king with the counsel and consent of parliament; and it was no longer in the power of the individual, the community, or the estate to withhold its obedience with impunity. While it is possible that in early times it has been customary for legislation to receive the assent of the people in local assemblies, at the same time we are forced to conclude that legislation properly belonged to the king's council. In the twelfth century that council consisted of only the magnates, but by the end of the thirteenth it contained also the inferior clergy and the commons. The latter, while being regarded as fully competent to discuss a tax, were not regarded as equally competent to frame a law. Still the right of the nation to determine by what laws it should be governed was not disputed. It had been admitted by Canute and the Conqueror, and it had been practically admitted in the promulgation of the Great Charter and the Provisions of Oxford in the county courts. The enactment of Edward II. in 1322, that matters to be established touching the estate of the king and his heirs, the realm and the people, shall be treated, accorded and established in parliaments by the king and by the assent of the prelates, earls, barons, and the commonalty of the realm, is but an amplification of the principle laid down by his father in 1295.

It is to be noticed, however, that the legislation of Henry III. and most of that of Edward I. was enacted in assemblies to which the commons were not summoned. While Edward found himself compelled to secure the co-operation of the commons with the other two estates in matters of taxation, yet his legislative work was carried on without the co-operation of the commons until they had enforced their right to be heard. And though in the later part of the reign of Edward I. the right of the commons to share in legislation was recognized, yet they were not placed on an equality with the other estates, and it was a long time before they were allowed more than the right of petition or request. We may say, however, that, on the whole, the functions of the three estates in legislation were very imperfectly defined.

In the judicial power of parliament the commons had no share, and it is worthy of note that the estate which retained the

judicial power of the national council, also retained the special right of advice and consent in legislation, these rights being a survival of the time when the magnates were the whole parliament.

\*Regarding the functions of parliament in deliberating on points of general policy and the right of the commons to share in the discussion of foreign affairs or internal administration little is known. It is certain that the right of such deliberation was exercised by the great men before the time of the Great Charter, and the evidence goes to show that they retained the right. The principle asserted by Edward I. in 1295 would appear to relate to this power of the national council even more directly than to taxation or legislation, but, in practice, as had often been done before, silence was construed as assent from the absent as well as the present.

JAMES KEILLOR.

## HOW PLANTS USE ANIMALS.

A CHAPTER IN ECOLOGY.\*

THE progress of botanical research and discovery, during the present generation, has necessitated the establishment of new departments in the scientific study of plants. In our early years a knowledge of their morphology was considered the sole object of botanic investigation. The time and attention of professors and students alike were devoted to the careful examination of the forms and arrangements of the different parts or members of phanerogamous plants, that they might acquire the knowledge necessary to detect and name the species that came under their notice. Between 1870 and 1880 the study of vegetable physiology was gradually introduced into the Universities of America from Germany, where it had made great advances during the preceding decade. Improvements in the microscope, the discovery of new methods in chemical analyses, and the invention of suitable apparatus for histological and physiological

\*In lexicons this word is spelled (Ecology, but writers generally drop the O.

work, have enabled the student to enter upon new fields of discovery undreamt of in the speculations of the older botanists. Well-equipped laboratories, with a rich display of working facilities for the prosecution of original research, have taken the place of the table beside the window, where the student sat down with his handful of plants, his text-book and a pocket lens, to work out the scientific names of his specimens—an achievement by which he was believed to have reached the extreme boundary of botanic knowledge. Laboratory work has now become almost universal.

The introduction of the study of cryptogams into college courses has opened up an almost unlimited territory, where rich mines of knowledge exist, to reward the patient toil of the adventurous discoverer. With the enlargement of the area of study has come an increase in the number of subjects demanding attention, thus rendering specialization an absolute necessity. We may mourn the departure of the days when a naturalist was expected to teach geology, zoology and botany, but we cannot resist the inevitable.

The progress of phanerogamic botany is marked by the establishment of the departments of histology, anatomy, comparative morphology, physiology and pathology, each of which now claims its specialists.\* Similar success has attended the study of the lower plants, and important fields for research have been opened up among the algae and fungi which affect so extensively the agricultural and manufacturing interests of every civilized country. The various rusts and smuts and mildews that injure our crops and lessen our harvests—the bacteria that sour our milk, or give taste and odor to our butter and cheese, or bring fevers and other diseases to our homes and domestic animals—the different species of plants which cause fermentation and effect the raising of bread and the production of beers, wines, etc., are all demanding further investigation. “Already the establishment of bacteriological laboratories and a huge special literature—of zymo-technical laboratories and courses on the study of yeasts and mould-fungi—of agricultural stations, forestry and dairy schools, and so on—all these are signs of the

\*See address of H. Marshall Ward, President of Botanic Section, British Association, Toronto, 1897.

inexorable results of progress." The development of industries like brewing, dyeing, forestry, agriculture, is making special demands on botany: "the progress of bacteriology, palaeontology, pathology, economic and geographical botany" is continually asking special questions and demanding answers.

The recent progress in the study of the physiological functions of plants has led to the division of physiology into two general departments, (1) physiology proper, (2) ecology. The first of these deals with the various forces and phenomena which constitute the life of the plant, that is, the different functions of its organs, such as the function of nutrition or of reproduction, and the manner in which they are distributed among the various members and tissues. In the higher classes of plants "each member of each tissue is adapted to the performance of one or more functions and is the organ by which its special kinds of physiological work are done". (Vines.)

The second (ecology) treats of the adaptation of the plant to its environment, in other words, the relations of the plant to the natural forces and the living beings of the world around it which exercise any influence upon the performance of its functions. For example, the activity of the assimilatory function of green leaves is altogether dependent upon exposure to light of adequate intensity and to a suitable temperature. (Vines.) In the case of plants with highly colored flowers fertilization can only be secured by the visits of insects.

Passing over the relations of plants to climate, soil, and the presence of neighbors of friendly or unfriendly character, we will confine our attention altogether to one phase of their adaptations to animals. The special subject we have in view is:—

#### HOW PLANTS USE ANIMALS FOR NUTRITIVE PURPOSES.

Nitrogen enters into the composition of proteid substances and is consequently a necessary element of plant-food. Experiments have proved that it is derived, not from the nitrogen of the air, but from compounds of ammonia and nitrates which are widely distributed in nature, and are furnished to the plant dissolved in the soil-water. Plants, with few exceptions, have no power to assimilate the free nitrogen of the atmosphere, and soon perish if the soil in which they grow contains no nitrogen



compounds. When growing in positions where the necessary nitrogen cannot be obtained they are compelled to resort to other sources of supply. Some secure abundance for their needs from the bodies of animals which they entrap in various ways, and as the greater number of these are insects the plants have been called insectivorous plants.

About 460 plants are known which are more or less dependent upon this source for their nitrogen, and are consequently provided with traps, pitfalls and other contrivances for capturing their prey. They belong to different families or orders of both terrestrial and aquatic forms, and are furnished with widely different devices for securing the animals required for food.

ORDER I.—Among these insectivorous plants the most conspicuous belong to the order Sarraceniaceae, which embraces eight species, distributed between three genera, inhabiting North America and British Guiana.

1. The best known of these are :

The six species of pitcher plants (*Sarracenia*), of which one (*S. purpurea*) is common in Canada, and the other five in the Southern States. They abound in mossy bogs, and along the borders of lakes. They are perennial plants, with stems from a foot to eighteen inches in height, terminated by a single, large, nodding flower, of a deep purple or sometimes greenish-purple colour. The large leaves are arranged in a rosette around the base of the stem, and are eight to ten inches in length, hollow or trumpet-shaped, ascending, curved, broadly winged along one side from the base to the mouth of the pitcher, and terminating in a rounded, arched hood at the apex. The wing is bordered or edged by a purplish cord, which also runs around the mouth. An abundance of purple veins contributes to the beauty of the colouring. The pitcher is partly filled with water and drowned insects. The hood is ornamented with brilliant colours and clothed on its inner surface with stiff, polished bristles pointing downwards. Within, the surface of the tube is exceedingly smooth, rendering it impossible for an insect to crawl out after it has entered. The thickened smooth lip, surrounding the mouth, is rendered attractive by a sweet secretion which lures both winged and crawling insects to enter. In the southern species, the wing also secretes nectar along its whole length, and presents

an irresistible attraction to ants and other wingless creatures. Mrs. Mary Treat informs us that she "noticed on some of the plants a line of small ants, extending from the base of the leaf to the summit, feeding on the secretion; so numerous were they that they crowded one another, but all steadily advancing to the opening, down which they disappeared."\* She describes in graphic language the "very friendly and fraternal" manner in which they meet and pass each other, going to or returning from their feeding grounds on other plants. But "mark the difference when the ants are feeding on the sweet secretion of *Sarracenia variolaris*; now they crowd and jostle one another, and seem wild in their movements, and all are advancing in one line towards the summit of the leaf, on reaching which they disappear down the wide throat of the insatiable *Sarracenia*. No return line here." On one occasion she placed a number of leaves in vases of water, in her study, to keep them fresh, and opened the windows to admit the insects swarming in the warm air outside. When a sufficient number had entered she closed the screens to the windows and watched the results. The flies were soon attracted to the plants, and as soon as they tasted the secretion, they began to act strangely as if intoxicated. If she touched one, it would fly a short distance and return immediately, and would soon be "buzzing inside of the tube, trying to walk up the dry, smooth surface, and ever falling back, until it was exhausted and still." If a leaf was taken from the vase, turned mouth down, and the flies shaken out, they soon returned again. "They would pass their legs over their wings, but they were unsteady on their feet, and seemed to be intoxicated. Every fly I liberated eventually returned to the open mouth and walked in, as if fascinated by some spell."

The room was soon "cleared of flies—all lured into the fatal traps." The windows were re-opened and a new swarm admitted, among which were two or three yellow-jackets—wasp insects. One of them soon lighted upon a leaf, tasted the sweet secretion on the edge of the wing, and proceeded hurriedly and wildly along the line of sweets until it reached the opening..... In a little more than a minute from the time it alighted it was a safe prisoner within, buzzing and fluttering and stirring up the

\**Home Studies in Nature*, by Mary Treat, p. 189.

imprisoned flies. It made frantic efforts to escape—tried to climb the smooth surface, ever falling back till exhausted and powerless to move. The experiments were repeated day after day for two months, both in the field and in the house, with the same results. Insects of every order were entrapped and their bodies digested by the plants. Pieces of raw beef were substituted for insects and were readily absorbed by the digestive organs.

2. The *Darlingtonia* of California, and (3) the *Heliamphora* of British Guiana, also bear pitchers partly filled with water, which entrap insects and absorb their juices.

ORDER II.—A second family of insectivorous plants is that of the *Nepenthaceae* which is represented by the single genus *Nepenthes*, containing about forty-five species. They occur principally in the Malay Archipelago, but extend to Ceylon, Australia, the Seychells and Madagascar. Most of them are climbing shrubs growing in swampy soil. Their leaves have foliaceous petioles which form, at their extremities, pitchers surmounted by a hinged lid. Inside the pitchers is secreted a watery, slightly acid fluid, partly filling the cavities. Upon the lips of the pitchers, as in the case of the *Sarracenia*, is produced a sweetish substance exceedingly attractive to winged insects which, falling into the fluid within, are soon dissolved by it, and their substance absorbed by the plant for its nourishment. Dr. Hooker found that although the fluid within the pitcher of *Nepenthes* possesses extraordinary power of digestion, yet when removed from the pitchers, before they have been excited, and placed in a vessel, it has no such power, although it is already acid. Darwin accounts for this fact by the supposition that the proper ferment is not secreted until some exciting matter is absorbed.\*

ORDER III.—The *Droseraceae* is a large family of very remarkable plants, distributed throughout the world, and frequently abounding in bogs and marshy localities. It embraces six genera and about one hundred and ten species, one hundred of these belonging to a single genus, *Drosera*. Owing to its adaptation for entrapping insects, the family has attracted a

\*Darwin, *Insectivorous Plants*, p. 97.

large share of attention, and several of its members have been subjected to numberless experiments.

1. In some respects the most wonderful species is the Venus' fly-trap (*Dionaea muscipula*), so named from the extreme irritability of its leaves, which quickly close like a steel-trap at the slightest touch. It is a native of the eastern part of North Carolina, where it flourishes in sandy bogs along rivers from the Neuse to the Santee. It adheres to the soil by one or two small roots, terminated by bulbous enlargements, which probably serve for the absorption of water. In conservatories it is often cultivated in a pot of bog material placed in a pan of water, proving that it is not dependent upon the soil for its food. The stem is from six to twelve inches high, and bears an umbel of eight to ten white flowers. Its leaves are all radical, forming a rosette, the blades are roundish and two-lobed, their margins fringed with long, sharp, rigid spines. The upper surface of each leaf has three minute pointed filaments standing erect and forming a triangle on each side of the midrib. They are extremely sensitive and when touched by an insect the leaf suddenly closes on it.

The marginal spines are so placed that when the lobes close they interlock like the teeth of a rat-trap. The upper surface of the leaf is covered with small reddish glands, the remainder of it is colored green. The sensitive filaments are about one-twentieth of an inch long and taper to a point. A peculiarly formed articulation at the base unites them to the leaf and permits them to lie flat down when the lobes close together. Their extreme sensitiveness excites the astonishment of experimenters. Darwin fixed a piece of very delicate human hair into a handle, and cut it off so that one inch projected; the length being sufficient to support itself in a nearly horizontal line. The extremity was then brought by a slow movement laterally into contact with the tip of a filament, and the leaf instantly closed.\* Though so sensitive to touch they are utterly indifferent to heavy showers of rain and gales of wind. "We thus see," says Darwin, "that the sensitiveness of the filaments is of a specialized nature, being related to a momentary touch rather than to prolonged pressure; a touch must not be from fluids, such as air or water, but from some solid object."

\*Darwin, *Insectivorous Plants*, p. 289.

The surface of the blade is very slightly sensitive, and bits of stone, glass, and other inorganic substances—also bits of organic substances not containing soluble nitrogenous matter, such as wood, cork, moss—or bodies containing soluble nitrogenous matter, if perfectly dry, as meat, gelatine, albumen, may be placed on the lobes and left for hours without producing any perceptible effect. If the nitrogenous bodies are slightly moistened, the lobes close over them with a slow and gradual motion, very different from that produced by touching filament.

The upper surface of the lobes is thickly covered with small, sessile glands, capable of secretion and absorption. When a bit of meat or an insect is enclosed, these glands pour out a copious secretion, which is almost colourless, slightly mucilaginous and acid. Sometimes the secretion is so abundant that if a leaf be cut open, drops will roll off it. That it is possessed of digestive powers, like the gastric juice of animals, has been proved by many experiments, for the details of which the reader is referred to Darwin's interesting volume.

After enclosing an insect, or any nitrogen-yielding substance, the leaves do not open for many days, and after opening, frequently become torpid and wither. Vigorous leaves, however, will seize their prey more than once. Mrs. Treat informs us that among her plants "a considerable number of leaves took the third fly, but most of them were not able to wholly digest them. Five leaves digested three flies each, and opened apparently healthy, and were soon ready for another meal, but died soon after closing over the fourth fly. On the other hand, some leaves were not able to digest a single fly."\* They did not restrict their diet to flies, but readily partook of bugs, beetles, spiders, millepedes, or other insects which were unfortunate enough to visit them. The average time required to digest soft-bodied insects, such as spiders, flies, and small larvae, was seven days, but hard-shelled bugs and beetles took fourteen days, on account of the resistance furnished to the digestive secretion by their shelly covering.

2. Another plant of this insectivorous family is the *Aldrovanda vesiculosa*, which is distributed, in some of its varieties, in Europe, India and Australia. It is a rootless, little plant, float-

\**Home Studies in Nature*, p. 185.

ing freely in water. Its stem is about three inches in height, and is ornamented in the flowering season with a few small white flowers. The leaves are arranged in whorls about the stems, and, as in the case of *Dionaea*, are composed of two lobes united by a strong midrib. The lobes are folded up from the midrib so as to resemble a small clam-shell nearly closed. This position gives it a great advantage when it requires to close suddenly. From the inner surface of the lobes, and especially from the midrib, project numerous, long, finely pointed hairs, extremely sensitive to the touch. When irritated by any minute swimming creature, the lobes close suddenly and sharply, rendering escape impossible. A fluid is secreted from certain glands, which is said to dissolve and digest the nitrogenous materials contained in the bodies of the captured larvae or crustaceans. Several interesting arrangements for the capture of prey, and the absorption and assimilation of the portions suitable for food, can only be explained by the use of figures, but enough has been said to show that aquatic as well as land animals have vegetable foes which lie in wait for them and lure them to destruction.

3. The Cape of Good Hope furnishes another genus (*Roridula*) of these carnivorous plants, which embraces two species. These (*R. dentata* and *R. gorgonias*) have somewhat woody stems and branches. The leaves are long and narrow, tapering to a long point, and are concave on both the upper and lower surfaces. They are densely covered with tentacles, which differ greatly in length. The glands also vary much in size, and are supported by pedicels. In their native condition they secrete abundantly a viscid substance which adheres to insects and prevents their escape. When examined the leaves are often found to be covered with the remains of the captives.

4. A fourth genus (*Byblis*), containing three or four species, occurs in Western Australia. Its leaves resemble those of the preceding genus, being several inches in length, acuminate and somewhat flattened. Numerous glands cover the surface and the apex, which terminates in a small knob. The bodies of insects adhering to the glands show their use.

5. The best known, as well as the largest genus of insect-destroying plants is the Sundew (*Drosera*), which embraces fully one hundred species, scattered over the whole globe where-

ever marshes are found. Six species occur between Hudson Bay and Florida, of which four—*Drosera rotundifolia*, *D. Anglica*, *D. intermedia Americana* and *D. linearis*—are abundant in Canada. The most common species is *D. rotundifolia*, *L.* which inhabits the peat bogs and marshes, from Newfoundland, Labrador and Nova Scotia westward to the Pacific and north to and beyond the Arctic circle.\*

As this is the species to which Darwin has devoted 277 pages of his interesting work on insectivorous plants, in which the reader can obtain a remarkable amount of information respecting its movements and digestive powers, a brief description will be sufficient here. It is a small herbaceous plant, five to eight inches high, growing generally (not always) in sphagnous bogs where its roots cannot reach the barren soil below; the mosses themselves depend upon the atmosphere and the rains for their nourishment. Its roots are few and small and seem only to absorb water. The leaves are reddish, and form a cluster around the base of the scape; they are nearly orbicular in form and taper abruptly into the petiole. In their young condition, they are rolled up from the apex to the base. Their whole upper surface is beset with glandular hairs or tentacles, which are usually tipped with a small drop of a viscid secretion, glistening like dew in the sunshine, whence it receives its name. The slender, naked scape bears the small, white flowers "in a one-sided, raceme-like inflorescence, which nods at the undeveloped apex, so that the fresh-blown flower, which opens only in the sunshine, is always highest." (Gray's *Manual*.)

Darwin counted the number of glandular hairs, or tentacles, on thirty-one leaves and found the average number was 192; the greatest number being 260, and the least 160. Those on the central part of the leaf or disc are short and stand erect; those on the extreme margin project on the same plane as the leaf, or are more commonly reflexed. When an insect, or any small object, comes in contact with the central tentacles, a motor impulse is transmitted to those around them and is gradually propagated to those placed on the margin. The nearer ones, being first affected, begin to bend toward the centre—then those farther off, until all become closely inflected over the object. A

\*Macoun, *Catalogue of Canadian Plants*.

living insect is much more effective in producing movement than a dead one, as its struggles bring it into contact with a greater number of tentacles. The length of time required for complete inflection varies from one to four or five hours, according to the age and vigour of the leaf, the nature and size of the object, and the temperature of the atmosphere. The inflection takes place equally by day and night. An insect, as a fly, with thin integuments, causes a longer inflection than an insect, like a beetle, with a thick covering. Strongly inciting substances, as drops of milk, produce also an incurvation of the leaf, so that it resembles a shallow cup. When tentacles, remote from an object caught on the centre of the leaf, have become considerably deflected towards it, they pour out an increased amount of secretion, which soon changes its nature and becomes acid. Like the gastric juice of the higher animals, the secretion possesses an antiseptic power. If a small piece of meat be placed on the tentacles, and another be enclosed in the moss beside it, the former will remain fresh and untainted long after the latter has become putrid and filled with infusoria. When the juices of the insect, or other object covered by the secretion, have been digested and absorbed, the tentacles gradually unbend and assume their natural position, awaiting the arrival of new and heedless visitors.

The extreme sensitiveness of the tentacles is worthy of notice. "It is an extraordinary fact," says Darwin, "that a little bit of soft thread,  $\frac{1}{30}$  of an inch in length, and weighing  $\frac{1}{107}$  of a grain, or of a human hair,  $\frac{1}{1000}$  of an inch in length and weighing only  $\frac{1}{40}$  of a grain (.000822 milligramme), or particles of precipitated chalk, after resting for a short time on a gland, should induce some change in its cells, exciting them to transmit a motor impulse throughout the whole length of the pedicel, consisting of about twenty cells, to near its base, causing this part to bend and the tentacle to sweep through an angle of above  $180^\circ$ ." He proved by experiment that far less than the millionth of a grain of phosphate of ammonia in solution, when absorbed by a gland, acts on it and induces movement.

The number of insects allured to destruction by the untold millions of these living traps distributed over the globe is perfectly inconceivable. And when we remember that one hundred



different species of this single genus of plants are continually lying in wait for the unwary insect, the results may well excite our astonishment.\*

6. The only remaining genus of this family (Droseraceae) is *Drosophyllum*, represented by the single species *D. Lusitanicum*, a native of Spain, Portugal and Morocco. In the neighborhood of Oporto, where it abounds, it bears the name of "Fly-catcher", and is hung up in dwellings to rid them of flies. The roots are very small, as in the case of *Drosera*, showing that it is not dependent upon food derived from the soil. The leaves are long and linear, gradually tapering to the apex. "The upper surface is concave, the lower convex, with a narrow channel down the middle. Both surfaces, with the exception of the channel, are covered with long, irregular rows of glands, supported on pedicels of different lengths." The glands vary much in size and are conspicuous by their bright pink or purple color. Unlike those of *Drosera* they are incapable of movement, but resemble them by producing large drops of a viscid secretion in which insects become entangled. The drops adhere to the wings, feet, or body of the unfortunate visitor, and are drawn from the gland. It then crawls onwards and other drops adhere to it, till at length it is overwhelmed by the accumulating mass and sinks down under the burden to rise no more. The work of digestion and absorption begins immediately, and soon nothing remains but the wings and indigestible integuments of the body.†

ORDER IV.—The plant *Cephalotus follicularis* is regarded by some botanists as the sole representative of the family Cephalotaceae, but the majority describe it as an abnormal member of the Saxifragaceae. It is a perennial plant growing in wet marshes, and, so far as known, is confined in its distribution to King George's Sound in Western Australia. The leafless scape is from one to two feet high, and bears a narrow panicle of small white flowers. The leaves are all radicle and arranged in a rosette. They are from one-half to one inch in length, obovate-oblong in form, with entire margins and obtuse apex, and narrowing into a petiole often as long as the blade. Some of them

\*According to recent experiments it is deemed probable that the insect-digesting ferment is secreted by bacteria which lie upon the plant.—*Minnesota Bot. Studies*, Vol. I, p. 942.

†Darwin, *Insectivorous Insects*, p. 332.

are converted into ovoid or nearly globular pitchers of about one inch in diameter. The mouth of the pitcher is bordered by a plaited ring and the ovate lid is attached to the side next the leaf-stock.\* Very little accessible information exists as to the plant's mode of procedure in attracting and trapping insects, but the very structure of the pitcher, the position of the lid and the peculiar border around the mouth, are sufficient proof that they are designed to prey upon the insect world.

ORDER V.—The fifth family of these life-destroying plants (Lentibulariaceae) embraces nearly 200 species, which are very unevenly distributed between four genera. The greater number are inhabitants of the temperate and cold regions of the globe. Some species are terrestrial, others aquatic; consequently very different adaptations are required for the capture of their prey. The former set their traps for winged or crawling animals, and the latter for those living in stagnant pools.

1. The largest genus is *Utricularia* (Bladder-wort), containing 150 species, of which eight occur in Canada. A few have been subjected to very careful observation and experiment.† The plants are often abundant in ditches and muddy pools along the roadsides, and can be easily procured for examination. Our Canadian species are all aquatic, having the stems and leaves immersed, and dissected into fine capillary divisions, bearing numerous little utricles or bladders which float the plant during the flowering season, which continues most of the summer. The leafless scapes rise from three to twelve inches above the water, and bear from one to ten peculiarly-shaped flowers of a yellow, or sometimes purple color. The bladders are furnished with a valvular lid, and usually with a few bristles at the entrance. Mrs. Treat, in New Jersey, experimented on *Utricularia clandestina*, and gives many interesting details. "There is a depression," she says, "at the entrance of the utricle, a pretty vestibule that seems to attract the little animals into the inviting retreat, where just beyond is a fatal trap or valve, which, if touched, springs back and engulphs the unwary adventurers, never more to be released. I was very much amused in watching a water-bear (*Tardigrada*) entrapped. It slowly walked around

\*Darwin devotes 50 pages to his experiments, and Mrs. Treat 24.

†Bentham, *Flora Australiensis*, vol. II, 448.

the utricle, as if reconnoitring—very much like its larger namesake; finally it ventured into the vestibule and soon, heedlessly, touched the trap, when it was taken within so quickly that my eyes could not follow the motion. The utricle was transparent and quite empty, so that I could see the behavior of the little animal very distinctly. It seemed to look around as if surprised to find itself in so elegant a chamber; but it was soon quiet, and on the morning following it was entirely motionless, with its little feet and claws standing out stiff and rigid. The wicked plant had killed it very much quicker than it kills the snake-like larva." Mrs. Treat also describes how these plants entrap the larvae of the mosquito, an employment in which we wish it abundant success.

Darwin examined the bladders of a great many specimens of *U. neglecta* and found they contained four, five, eight, ten entomostracan crustaceans, and frequently other animals in the same bladder. One of our Canadian species (*U. vulgaris*), abundant in ditches, pools, lakes and slow streams from Newfoundland and Halifax to Vancouver, bears a bad reputation for trapping and destroying young fish. Young salmon, bred in hatcheries, when set free in the lakes are caught around the body in the mouth of the bladder and held fast till they perish. Five to ten crustaceans have been found in single utricles.

2. The genus *Pinguicula* (Butter-wort) contains about thirty species, of which three are credited to Canada. Of these only one (*Pinguicula vulgaris*) is of common occurrence, being distributed from Newfoundland and Labrador westward along the St. Lawrence and the Great Lakes, and onward across the continent to the Alaskan Islands. It is a small, perennial plant, five to six inches in height, growing on wet rocks and thin, damp soil, to which it is fixed by very short, delicate roots. The slender scape is terminated by a single flower with a funnel-form tube and unequal lips of a violet colour. The base of the tube is provided with a straightish spur. The leaves (about eight in number) are ovate or elliptical, and clustered around the base into a rosette, from three to four inches in diameter. They are of a light green colour, rather thick, and have a soft, fleshy or greasy feel to the touch (whence their name.) When full grown they are about  $1\frac{1}{2}$  inches long and  $\frac{3}{4}$  inch in breadth. The young central leaves are

concave, the margins curve upwards, and the upper surface is thickly studded with two sets of glandular hairs of different sizes, which all secrete a viscid colourless fluid. They are generally covered with insects entangled in the secretion—as many as thirty being counted on a single leaf. All kinds—diptera, hymenoptera, coleoptera, moths, ants and larvae—appear to be equally welcomed and subjected to the same treatment. When an insect is caught by the glands, the secretion is largely increased, the edge of the leaf begins to fold inwards, and after a time partly closes over the victim; the secretion becomes acid and acquires the power of digestion. The dissolved nitrogenous matter is absorbed by the glands, as is proved by the aggregation of their contents into slowly moving granular masses of protoplasm. The period required for absorption varies according to the nature and size of the object embraced by the leaf, but twenty-four hours are generally sufficient; it then begins again to expand, gradually assumes its previous form, and patiently awaits the arrival of another victim.

Mrs. Treat discovered that “the pinguiculas are not only carnivorous, but also vegetable feeders,” and that they consume large amounts of pollen, which falls upon them from the pines which abound in the barren lands where these plants grow. Large quantities of pollen are often found on the leaves, mingled with small flies, and equally involved in the secretion from the glands. Careful experiments proved that “the pollen was gradually dissolved and disappeared with the secretion.” The amount of secretion varied with the weather, being most copious in fine dry days—the time when insects are most abundant in the surrounding air. The number captured and consumed by these plants in every land must be very great.

3. The genus *Polypompholax* embraces four species, all confined to Western Australia. They bear a strong resemblance to *Utricularia*, and capture their prey in small bladders of somewhat similar construction.

4. The last genus demanding notice (*Genlisea*) inhabits marshy grounds in many countries, but does not occur in North America. Eleven species have been described. They are represented as remarkable plants, furnished with utricles of such peculiar structure that no intelligible description of them can be given without illustrations.

Several interesting questions might be asked respecting the origin of those carnivorous plants. What peculiarities of environment on dry land, or in marshes, bogs or pools, tended to develop these numerous contrivances for alluring and captivating prey? How did the plants acquire a taste for animal food contrary to the ordinary laws of nature? Were they driven by hunger to develop alluring sweets, and traps, and pitfalls, and stomach-like sacs, with digestive and absorbing apparatus, to seize upon unwary visitors and consume them for food? It is very true that many, perhaps all, of them grow in positions where nitrogenous food cannot be secured by the roots; and that the roots are very small and few, fitted only for the absorption of water. But this does not explain the production of the pitchers of *Sarracenia*—or the swift closing traps of *Dionaea*—or the long, sensitive, secreting glands of *Drosera*—or the infolding leaves of *Pinguicula*—or the stomach-like bladders of *Utricularia*—or the numerous other adaptations for luring animals to their death and consuming them for food.

JAMES FOWLER.

### THE FEUDAL SYSTEM IN CANADA.\*

“THE physiognomy of a government,” says De Tocqueville, “can be best judged in its colonies. When I wish to study the spirit and faults of the administration of Louis XIV. I must go to Canada. Its deformity is there seen as through a microscope.”

And in probably no phase of French colonial policy does this assertion seem to have been more fully verified than in the Land Tenure system of the old *Regime*.

For about two centuries before the period of French colonial expansion the history of Feudalism in France is the history of an institution striving to retain its position after its vitality had been sapped away. In its earlier stages the system had rested upon a two-fold basis—that of the vassal to serve, and that of the lord

\*From a paper before the Kingston Historical Society.

to defend—and during the political chaos of the earlier mediæval period a system of mutual service and protection was almost the essential of existence. But with the growth of the central power the necessity for protection gradually vanished and the system thenceforward became one-sided, the vassal bearing the burdens without enjoying the rights. It had fully entered upon this phase when the extension of French influence to the American continent afforded fresh fields for the system's development.

Various reasons have been given as explanatory of the policy of the French administration in introducing the system into its colonies. It has been said that Richelieu looked upon its establishment in Canada as the means of ridding France of many of its impoverished nobility without damaging their dignity, or, again, that Louis XIV. deemed the existence of the system essential to the maintenance of strict royal control. But it is difficult to conceive how any other policy could have been pursued. Feudalism, though decayed, was still deeply rooted in France, and the virgin forests of America seemed to offer a promising field for individual initiative. In following this course France, moreover, was not alone, for the Manorial system in the New England colonies and the system of Palatrosnhips established by the Dutch in New Holland were both far from being free from feudal traits, and followed, in each case, closely on the land-tenure system of the mother country.

As regards New France, the Feudal System had its origin in the Royal Concession of 1628 to the *Compagnie de Nouvelle France* of the whole of Canada as one immense fief reserving to the Crown the right of fealty and homage alone. The company on its part undertook, within a certain specified time, to transport to the colony and to furnish with subsistence for three years not less than four thousand settlers, to whom it was to grant tracts of land "on whatever terms it should deem advisable." During the thirty-five years of its existence the Company granted some sixty odd seignories, many of which were never even taken possession of by the grantees. They were, for the most part, conceded merely in order to fulfil the obligation of sub-infeudation imposed by the charter, and little or no regard seems to have been paid to the powers of the grantee to properly develop his seignory. When, in 1663, the Company of

New France surrendered its charter, the privileges which it had enjoyed were handed over to the Company of the West Indies, and in the eleven years during which it monopolised Canadian trade it took occasion to grant some seignories. But from 1663 onward the king very frequently made grants directly and issued regulations regarding grants already made by the companies. Soon after the revocation of the charter of the company of New France he issued an edict revoking all grants on which settlement had not been commenced, and this was followed up in 1672 by another edict reducing all partly settled grants to one-half their original extent. In 1674, when the Company of the West Indies gave up its rights, the king took the matter of land grants entirely into his own hands. The plan of making a commercial company feudal suzerain of the colony had proven a failure. It is difficult to see how it could have proven anything else, for the interest of the companies was primarily to make an increasing profit out of the fur trade, and not to further royal designs for the agricultural development of the colony.

The king, therefore, in 1674, empowered the Governor and Intendant to make grants on their own responsibility, subject only to ratification by the crown, and from this time on grants became numerous. In all, lands were portioned out under no less than five different forms of tenure.

I. In *Franc aleu noble*. Of grants under this form I have been able to find only two—that of a strip of land near Three Rivers to the Jesuits in 1634,\* and that of Charlebourg, near Quebec, to the same religious order in 1637†. This form of tenure was of all forms the most free and honourable, lands held *en Franc aleu noble* being subject to no obligations of a feudal nature.

II. In *Franc aleu roturier*. This was a form of grant very similar to our English tenure in free and common socage. Land thus held was incapable of the attributes of nobility, but in other respects free and subject to no obligations other than the general ones to which its holder was liable as a citizen of France. Under this form several grants were made, usually with some special object in view, as *e.g.* the grant of Gaudarville to Lauzon in 1652,‡ made for the purpose of inducing the grantee to defend a dangerous post.

\**Tit. des Seig.* I, 347.

†*Tit. des Seig.* I, 345.

‡*Tit. des Seig.* I, 426.

III. In *Franc aumone* (frankalmoigne or mortmain). Numerous grants were made under this form, invariably to religious, charitable or educational institutions, the sole obligation attached to the grant being that of performing certain religious, charitable or educational duties in return. Thus the grant in 1647 of *La Prairie de la Magdelaine* to the Jesuits "in order that we may be participating in their prayers and holy sacrifices."\*

IV. *En feif* or *en seigneurie*. It was under this form that the greater portion of the territory was parcelled out. The preceding forms must be regarded merely as deviations from the general rule made in view of special circumstances. As to the size of grants *en feif* or *en seigneurie* there was no fixed rule; they varied from sixteen *arpents*† by fifty to ten leagues by twelve. All grants of feifs or seignories entailed certain obligations to the crown, the principal of which were :

(a) The obligation to render fealty and homage to the king's representative at the Chateau de St. Louis in Quebec.

(b) The payment of a mutation fine known as the *Quint*. This was the sole pecuniary tribute payable by the Seignors to the Crown on all grants made under the *Coutoume de Paris*. It amounted to one-fifth of the value of the feif and became payable on every mutation of ownership by sale or by inheritance other than in direct succession. Of its amount it was the custom of the Crown to grant a rebate of one-fifth. Some grants, however, especially those made by the Company of New France, were not conceded under the *Coutoume de Paris*, but under what was known as the rule of *Vexin le Français*, in which case the obligation of *Relief* took the place of that of the *Quint*. The *Relief* amounted to one-year's revenue on all mutations of ownership, whether by direct succession or otherwise, but in some cases‡ provision was made for the payment of an ounce of gold (*une maille d'or*) instead of the year's revenue.

(c) The Seigneur was under obligation to make, within forty days from the date of his grant, an *aveu et denombryment*, consisting of a declaration, duly drawn up and attested before a notary public in the presence of witnesses, setting forth the extent and character of his grant, the privileges he possessed, and various

\**Tit. des Seig.* I. 349.

‡Seignory of Beauport. *Tit. des Seig.* I. 428.

†About five-sixths of an acre.



other particulars. These were kept on file in Quebec and formed an accurate basis of information in regard to reports frequently required by the French government.

(d) The *Feu de feif*, or obligation to sub-infeudate his lands. The question as to whether this was a general obligation on the seignors is one which has been the subject of much dispute. As a matter of fact the obligation appears as an express condition in but a comparatively few titles. In France the Seigneur was under no legal obligation to sub-grant his lands; on the contrary the *Coutume de Paris* expressly forbade the alienation of more than two-thirds of a feif. Some of the Canadian grants, moreover, were too small to be dismembered as *e.g.*: the Seignory of St. Jean,\* which consisted of less than 100 *arpents* in all, and in one case,† at least, it was expressly provided that no one but the grantees should ever be allowed within the bounds of the seignory.

But, on the other hand, it seems clear that the king's intention was to have the seignories sub-infeudated. This can be seen from the tenor of the various edicts issued in respect to land grants, notably those of 1711, 1732 and 1743. The first and most important of these, the famous *Arrêts* of Marly, states that "His majesty having been informed that there are some seignors who refuse, under different pretexs, to concede their lands to inhabitants who demand the same . . . which is entirely contrary to His Majesty's intentions", it is ordered that on the expiration of a year from the date of the publication of the *Arrêts*, all seignorial grants which had not been at least partly sub-granted and cleared, should revert to the crown.‡ This was followed in 1732 by the *Arrêt* of Versailles, and in 1743 by a further *arrêt*, both of which reiterated His Majesty's position on the subject of sub-infeudation. The tenor of these edicts leaves no doubt as to the intentions of the king, no matter what may have been expressly stipulated in the grants themselves.

In addition to these four principal obligations, various others were frequently inserted, such *e.g.* as the reservation of oak timber for His Majesty's navy, the disclosure of mines and minerals, and the reservation of whatever lands within the seig-

\**Tit. des. Seig.* I. 443, 449.

†*Isle aux Coudres. Tit. des. Seig.* I. 322.

‡*Edicts and Ordinances* I. 326.

nory should be at any time subsequently found necessary for fortifications or other military purposes.

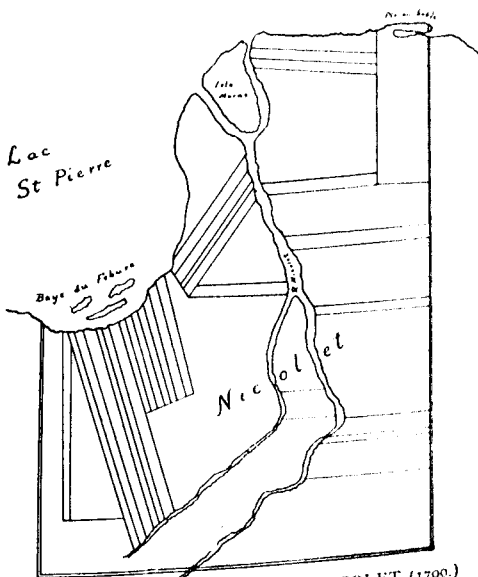
The obligation to render military service does not appear as an express condition in any of the grants. Its insertion was rendered unnecessary by the fact that all, whether landholders or not, were liable to be called upon for service at any time. In many cases, moreover, the government took good care to place the seignorial grants in such a locality that the obligation of military service could never be a matter of choice. Especially is this shown in the case of the grants made to the officers of the *Regiment de Carignan*, which came out to Canada with De Tracy in 1664, served successfully against the Iroquois, and a portion of which was disbanded in the colony. With a view to improving the colonial defence, Colbert, the French minister, issued instructions to Talon, at that time Intendant, to the effect that officers of the regiment desiring to settle in the colony should receive seignories varying in extent according to their rank, while the sum of 1150 in cash or 1100 and a year's subsistence should be granted to each sergeant, and 1100 or 150 and a year's subsistence to each private soldier who should take up lands within the seignories allotted to the officers. The retired officer would thus become a sort of feudal chief, and the whole settlement a permanent military cantonment admirably adapted for the defence of frontier territory. In accordance with these instructions Talon portioned out to the Carignan officers the lands along the Richelieu river to a point near Chambly, comprising the strip of territory which lay between Montreal and the powerful Iroquois tribes. It was in this way that the progenitors of some of the leading French families of the Province of Quebec at the present day first became permanent settlers in Canada. The names of De La Durantaye, St. Ours, Coutrecoeur, De Ramezay, Le Gardeur, Vercheres, Dupuy, Perrot, Bouteillerie and others may be found among the list of Carignan officers receiving grants at this time.

V. The fifth form of tenure was that under which were held the sub-grants made by the seignors. Such sub-grants might be made (a) *En arriere-feif*, in which case the sub-grantee received the same rights and incurred the same obligations with regard to his grants as the dominant seignor had heretofore enjoyed. Sub-

grants under [this form were not common. (b) *En censive*, in which case the grantee could not in turn sub-infeudate. Some *en censive* grants were made by the Crown direct, but only under exceptional circumstances as e.g. in the case of a few concessions near Detroit, where the original seigniorial sub-grants were declared invalid and new titles issued direct from the Crown. (c) *En roture*, a tenure similar to *en censive*, but with rules slightly different as regarded the descent of the land in the case of intestate succession.

All seigniorial sub-grants took one or other of these forms. They varied very widely in extent, but invariably assumed the same shape, that of a parallelogram with a frontage of two or three *arpents* along the river and a depth of from about forty to eighty *arpents*, made indiscriminately with little or no attempt at system\*. It has never been definitely ascertained who was the originator of this peculiar division of land so universally

\*This will be seen in the accompanying sketch from the *Carte Cadastre* of 1685-1709.



PLAN OF THE SEIGNORY OF NICOLET (1700.)  
SHOWING THE CHARACTER OF SUB-GRANTS.

adopted in Lower Canada. Mr. Sulte, who is an authority on points of this nature, believes that it originated with Jean Bourdon, the first Surveyor-General, who mapped out the seignories in oblong shapes with narrow frontages along the river, and that the seignors followed this model in making their sub-grants. At any rate, a more pernicious plan could scarcely have been adopted, for by the *Coutume de Paris* there was no complete recognition of the law of primogeniture. The eldest son took the manor or seignorial residence, together with the major share of the land, the rest was divided equally.\* While in the case of collateral succession and succession by females, all received share and share alike. Thus resulted a system of properties growing smaller and smaller at each mutation, but still retaining their oblong shape, to the great detriment of agricultural progress.

The rights of the seignor over his grants, *en censive* or *en roture*, may be classed under three main heads :

I. FINANCIAL. These comprised :

(a) The *cens et rentes*—a ground rent, composed of two parts, the *cens* payable in money, the *rentes* payable usually in kind. The *cens* is generally looked upon as having been a merely nominal due imposed solely in recognition of the seignor's superiority and valuable mainly as establishing his claim to other and more important rights. It amounted generally to one or two *sols* per superficial *arpent*, but it differed in various seignories and even in different parts of the same seignory. According to the *Coutume de Paris* the seignor was supposed to stipulate the amount of *cens* when conveying the grant, but in the event of his failing to do so, the amount was to be reckoned by reference to the rate customary in the neighborhood. But in Canada the seignor frequently refused to concede unless he obtained his own terms which included often an entrance fine (*dernier d'entree*). It was to put an end to this practice that a clause in the *Arrêts* of Marly (1711) provided that when a seignor refused to concede lands to applicants the Governor and Intendant should have power to step in and make the grant at the customary rate.

When the colonial currency became depreciated disputes arose between seignor and *censitaire* as to whether the dues should

\**C. de P.*, Art. XV.

be paid in the colonial (*monnaie du pays*), or French (*tournois*) currency. A Royal Edict\* in 1717 settled the matter by ordering that unless otherwise stipulated in the grant, dues were to be paid in colonial currency with a deduction of one-fourth. This can be accounted for when we find that colonial money was, at this time, circulating at a premium of one-fourth over the money of France.†

The *rentes*, on the other hand, was supposed to be a return for seignorial superintendence. It consisted generally of one-half *minot*‡ of corn or one fat capon for each superficial *arpent*, but these might be commuted in cash at the current rate, which varied from ten to twenty *sols*. As it was, apparently, the custom of the *consitaire* to pay in corn or poultry when these were cheap, and in money when they were dear, an ordinance in 1730 declared that the form of payment should thenceforward be decided by the seignor.

(b) The *lods et ventes*. This due was a direct descendant of the old feudal incident known as "Fine on alienation". It became payable on each mutation of ownership of lands within the seignory, whether by sale or by inheritance, other than in direct succession. In France it amounted generally to one-sixth, but in some cases to even one-fifth or one-fourth of the consideration.§ In Canada, however, the amount exacted was only one-twelfth, and of this the seignor usually remitted one-fourth, although he was under no obligation to do so.

Supplementary to this right to receive payment of *lods et ventes*, the seignor enjoyed the *droit de retrait*, in virtue of which he could preempt any property sold by payment to the purchaser of the mutation price within forty days from the date of sale. The right existed not only in France, where it was known as the right of *retrait-lignager*, but in the land-tenure system of countries to which feudalism had never penetrated. It is found e.g. : in the agrarian systems of the Arabs and Algerians under the name of the "*Cheffa*".¶

In its origin the *droit de retrait* existed for the protection, not for the profit of the seignor. One writer on Canadian

\*Ed. and Ord. I. 370.

†Cf. Shortt, *Canadian Currency under French Rule*. I. p. 8.

‡About four-fifths of a bushel. §Taine, *L'Ancien Regime*

¶Lavaley, *De la propriete et de ses formes primitives*. p. 98.

Feudalism\* informs us that it served to prevent the seignor's being defrauded out of his *cens et rentes*. But this we can hardly accept, since, as has been seen, the *cens et rentes* was reckoned on the extent, not on the value of the grant. The real object of the right was to afford the seignor protection against being defrauded out of his proper *lods et ventes* through the sale by *censitaires* of their lands for less than the proper price. But while, originally, the right extended to mutations of land only, it was extended by the Canadian seignors to include sales of all property whether real or personal. Such an extension was entirely unwarranted since the seignor received no dues on mutations of personalty and could, therefore, sustain no loss.

(c) A third seignorial right was that known as the *Banalité* or *Droit de Banal*. In this case the incident partook partly of the nature of a right and partly that of a duty. It implied the right on the one hand of the seignor to construct a flour mill within the limits of his seignory, and as a corollary from this the right to prevent others from so doing. It implied, on the other hand, the obligation on the *censitaires* to have their grain ground there and not elsewhere on pain of confiscation. The amount of the toll receivable was fixed by an *Arrêt* of 1667† at one-fourteenth of the grain ground. The burden of this obligation did not, at first, lean heavily upon the *censitaires*, but rather upon the seignors who could generally ill afford the means requisite to build the mill and to import the machinery from France. The toll, moreover, except in the case of the more populous seignories, scarcely sufficed to pay the wages of the miller. Many of the mills were run by wind power (*moulins à vénté*), and this seems to have been very unreliable, for an Intendant's ordinance in 1730‡ ordered that any *censitaire* on having to wait more than forty-eight hours should be allowed to take his grain on to the mill of any other seignory. The machinery seems to have been very crude, and the miller's knowledge of the art of flour-making sometimes more so, for in 1757 complaint was made to the Intendant that in one case the seignor was doing the milling himself, with the result that the *censitaires* got cracked wheat in-

\*Robert Abraham, *Some Remarks on Franc aleu roturier and other forms of tenure*. (Montreal, 1849) p. 25.

†*Ed. & Ord.* II. 39. ; *Ed. & Ord.* III. p. 286.

stead of flour.\* So, on the whole, the system of Banal mills was not a success.

There existed also another species of *Banal* right, known as *Fours Banal*, comprising the right of the seignors to build a seignorial oven and the obligation of the  *censitaires*  to have their bread baked therein—a right and obligation which does not seem to have been exercised and exacted, although a report from the Intendant to the French government in 1707† shows that the seignors fully maintained their claim to it.

In 1686 the king issued an *Arrêt* directing that all seignors having the *Banal* right should erect their mills forthwith, otherwise the right should be declared an open one. Many seignors were unable to comply with the provisions of this *arrêt* and lost their privileges in consequence.

(d) The *corvée* or right of the seignor to compel the performance by his *censitaires* of a certain amount of labor upon the seignorial domain without compensation. Like most of the other rights, this one varied in different parts of the colony, and even in the same part at different periods. It was, however, laid down by an ordinance in 1716,‡ that the *censitaires* could not be called upon to perform their *corvées* during seed-time or harvest. The same ordinance evened up matters, however, by declaring that the seignor was not bound to furnish either food or tools to the workmen during the performance of their work. As a rule, the obligation could be commuted into a cash payment, which amounted, as far as can be ascertained, to about 20 *sols* per annum for each arpent in front by forty in depth. The exaction of *corvée* was declared illegal by the king in an edict issued in 1717,§ but many of Louis XV's edicts passed unheeded in Canada, and this appears to have been one of those, for the obligation is found in existence even after the conquest.

These four were, then, the principal pecuniary rights, but there were several others of not a great deal less importance, *c.g.*, the right to reserve wood and stone necessary for the building of the seignorial manor, mill or church; the right of *chasse*, *i.e.*, of

\**Ed. & Ord.* II. p. 215.

†Raudot to Pontchartrain, 10th Nov., 1707. *Corr. Gen.* Vol. xxvii.

‡*Ed. & Ord.* II. p. 444.

§Correspondence between Governor and Intendant and French Government. p. 17.

hunting on the *cessitaires'* lands; the right of *pêché* or to one fish in every eleven caught by the *cessitaire* in the waters fronting the seignory. This last was frequently commuted by the payment of a certain quantity of fish for the whole year. The right of ferry over rivers was also considered as appertaining to the seignor.

II.—JUDICIAL.—Not all grants of seignories conveyed the right of administering justice, but only those in which the right was specifically stated. There were three degrees of judicial power, *haute, moyenne et Basse Justice*, any or all of which might be conferred upon the seignor. *Haute Justice* conferred the power of dealing with crimes punishable by mutilation or death, excepting only such crimes as were committed directly against the royal power as *e.g.* treason, counterfeiting, etc., and with all civil actions\*. Many seignorial grants conferred the privilege of administering *haute* justice, but no instance is on record of the capital sentence having been pronounced in a seignorial court.

*Moyenne* justice included the right of dealing with misdemeanors punishable by fine, and with civil actions where the amount involved did not exceed 60 *sols*. The grant of *Basse* justice, again, empowered the seignor to deal with minor offences and disputes regarding seignorial dues when these amounted to not more than 10 *sols*. But in most cases all three degrees of judicial power were granted together, and in all cases appeals lay to the royal courts, which sat weekly at Quebec, Montreal and Three Rivers. In France the judicial privileges were among the most remunerative, but in Canada they rarely yielded any important profit. Judging from the number and character of the cases coming in the first instance before the royal courts, the seignorial courts were never an important element in the judicial system of the colony.

III.—HONORARY.—Seignors were entitled to receive the fealty and homage of their *cessitaires* on the occasion of all grants or mutations. This was rendered at the manor, usually on St. Martin's day, when the *cessitaires* assembled to make payment of their *cens et rentes*.

In addition to this the seignor frequently stipulated in his grants for certain other privileges, *e.g.* A concession *en censive*

\*For a full description of seignorial judicial powers vide Doutré & Lareau. *Histoire du Droit Canadien*.



in the seignory of Beaujeu required, among numerous other conditions, "that the said grantee, his heirs and assigns, shall, together with the other inhabitants of the seignory, plant a May-pole on the usual day at the door of the seignorial manor."

Some seignors received, besides their grants, patents of nobility, but these were the favored few. In 1671, the lands of Talon, the Intendant, were erected into the Barony Des Islets, "in consideration of the services which he has heretofore rendered," and four years later the Baron des Islets became the Count d'Orsainville for "having given still stronger proofs of his zeal and affection."\*

Thus the first Canadian Barony dates from 1671, not from 1675, as one learned writer on the subject of titled Canadians would have us believe.†

In 1700 Charles Lemoyne was made Baron de Longueuil, while some years earlier (1681) the lands of Jacques Le Neuf Potherie were erected into the Barony of Portneuf. In addition to these three Baronies many letters of *noblesse* were issued creating a lesser nobility. The title of nobility gave no pecuniary rights or special privileges and the *noblesse* as a rule were without means, while their rank precluded their engaging in business. Their poverty was, in fact, a continual cause of complaint to the king. In 1679 the Intendant wrote to Colbert that they were a "burden on the colony".‡ Twelve years later his successor implored the king "I pray you grant no more letters of nobility unless you desire to multiply beggars."§ The king, on his part, endeavored to improve their condition by granting *congés* or dispensations allowing the *noblesse* to work without prejudice to their rank, but even this did not prove effectual and a striking example of their poverty is shown when, in 1690, Frontenac applied for letters of nobility for one François Hertel. The letters-patent duly arrived, but Hertel had no money to pay the required fee. Frontenac referred the matter back to the king and received from the minister a characteristic despatch¶ which

\**T. de Seig.* l. 444.

†Sir J. D. Edgar, *Titles of Honor in Canada*, University of Toronto Quarterly, 1890, p. 98.

‡Duchesneau to Minister, *Corr. Gen.* vol. V.

§Champigny to Minister, *Corr. Gen.* vol. XI.

¶"Sa majeste n'a pas vouler entrer dans la demande du Sieur de Hertel, et si cet homme n'est pas en etat du payer le sceau des lettres de noblesse qu'elle lui accordees, il le sera encore moins d'en soutenir la qualitie. Sa majeste ne les

is interesting in that it shows not only that the king was beginning to recognize the hopelessness of his scheme for the creation of a Canadian nobility, but also that ability to write good French was not an indispensable requisite even to a minister at the Court of Louis XIV.

Such then were in general, the several rights and obligations of the Seignorial System in Canada. Seldom has a system of land tenure been planted in soil more favorable to its development. Unlike as in the New England colonies, the feudal relation was never disturbed by the introduction of slavery. The Canadian seignor, unlike the New England Manorial landholder, was never an absentee. On the contrary, he lived and worked on his grant, mingling with his  *censitaires*, supervising their labors in time of peace and fighting at their head in time of war. "He was," says Parkman, "at home among his tenants, at home among the Indians, and never more at home than when, a gun in his hand and a crucifix on his breast, he took the warpath with a crew of painted savages and Frenchmen almost as wild, and pounced like a lynx from the forest on some lonely farm or outlying hamlet of New England. How New England hated him let her records tell. The reddest blood-streaks on her old annals mark the track of the Canadian *gentilhomme*."

The development of the system was aided also by the organization of the Church. "The *censitaire* had two points of rendezvous, his church and his manor, the interests of which were ordinarily identical, while the limits of his parish were the limits of the seignory."\*

After the conquest the English government left the French-Canadian people their old civil law, but without that machinery which was essential for its proper enforcement, and what was even more important—for its development. Hence it was after the cession that the evil traits of the land tenure system made themselves most apparent. Seignorial exactions multiplied, and the English courts were almost powerless to afford the *censitaires* protection, for the seignor had custom on his side, and custom to the new courts was all-powerful. Out of the land-tenure cases

aureait pas accordees si elle avait ete informee de sa pauvrete etait certain que cela ne servirait qu'a jeter ses enfants dans le desordre, qui auraient pu s' adonner a des travaux qui ne conviennent point a des gentilshommes."

\*Casgrain, *Une paroisse Canadienne Au XVIIIeme Siecle*, p. 41.

brought before the Court of King's Bench during a period of twenty-five years after the conquest, only one was decided in favour of the *seigneur*. The seignorial question was one of the knottiest problems which fell upon the hands of the English government in Canada. The first attempt to deal with it was made in 1823, when an Act was passed (3 Geo. IV., c. 119) granting to all seignors, or to *seigneurs* holding direct from the Crown, the privilege of commuting their dues to the Crown and receiving a title in free and common socage. This privilege was, however, not taken advantage of by the parties concerned. The next Act, passed in 1825 (6 Geo. III., c. 59), went further and gave power to seignors to effect commutation of dues with their *seigneurs*. But, like its predecessor, this Act effected nothing.

And although the matter was made the subject of considerable correspondence between the Canadian and British Governments, no further action was taken till about some fifteen years later.

This time the action came from the Canadian Legislature, which in 1841 appointed a commission to obtain information on the matter of the seignorial tenure, and in 1850 adopted resolutions to the effect that the matter was one of grave public concern, and that the commutation of the tenure was advisable. These resolutions were referred to a select committee and by it was drafted the bill which became the "Seignorial Act of 1854", providing in general for the compulsory commutation of all seignorial dues. To settle the question as to what rights were entitled to indemnity, a special court consisting of seven Superior Court Judges was created, and on the basis recommended by this court indemnities amounting to several millions of dollars were paid by the Provincial Government of Quebec. Several seignories, held chiefly by religious bodies, were exempted from the provisions of this act; of these a few effected commutation voluntarily, others, as *e.g.* the Seminary of St. Sulpice, have retained their rights to the present day.

Thus ended, after an eventful history, extending over more than two centuries, the Feudal System in Canada.

It is surprising what little attention has been paid to the working of the system by the historians of Canada. Charlevoix, Ferland, Potherie and Garneau treat it with but passing notice.

Kingsford devotes to its consideration four pages out of some five or six thousand, and then apologizes for even this scant notice on the ground that "it becomes necessary in order to simplify references to the system".

What would be thought of a ten-volume history of England which devoted four pages to the consideration of the land-tenure system of the Anglo-Saxons?

With all its defects the Seignorial System is hardly deserving of the contempt with which it is the general tendency of English writers to look upon it. That it was not so oppressive after all is shown by the fact that long after the conquest many British settlers petitioned to have their lands granted to them under seignorial tenure in preference to tenure in free and common socage.

The evils of the system are to be attributed in a large measure to features not essentials of the tenure itself, but superimposed upon it—the inconvenient configuration of the grants, the granting of feifs to seignors who were too poor to fulfil their obligations, the application to an agricultural colony of a code of laws (*coutume de Paris*) which was suitable only for an industrial or commercial community, and finally to the action of the English Government in retaining the system without retaining the machinery which was essential to its proper development. These are errors for which we must blame, not the system itself, but the administration of it.

W. BENNETT MUNRO.

### THE ELECTORAL ASSEMBLIES OF ROME.

IN the study of antiquity we find the earlier civilizations pursuing their different lines of development in accordance with some great master impulses or ideas. These ideas represent the attitude of the national mind to the problems of life and the universe. In the oriental world, prostrate before the powers of nature, the Deity or the king—heaven's representative on earth—these ideas are religious. Thus Egypt, according to Professor Tiele, stands for life and immortality; Babylon and Assyria for inscrutability; Persia for social virtue and the struggle against

moral evil; India for universal redemption. In the western world, on the other hand, wherein humanity has supplanted the higher powers as the centre of interest, and the dignity of man first asserts itself, the ideas are of a more secular and complex character.

Hence Greece responds to the idea of beauty, not merely the beauty of the divine, but the beauty of the human—the harmony of religion, science, art and philosophy; while Rome represents to us the ideas of political order and the practical government of society.

The newly founded science of Comparative Religions proves the interest and value to the theologian of the ancient views of man's relation to God, and no less valuable and necessary to the scholar for any proper understanding of many of the classical authors is a clear knowledge of the political institutions of Greece and Rome. The lessons to be learnt in the sphere of politics from a study of the long career of Rome especially, where for seven hundred years plebeian and noble wrestled and mutually reacted on each other, exhibiting the interplay of parties under free institutions for a longer period than among any other people, are many and important.

Out of the large subject of the political institutions of Rome, I select for treatment one chapter only—that of the electoral assemblies\*. This article will transport us into antiquity, but it ought not to leave us there. Who is there that studies the history of former days that does not desire at the same time that the present should profit by the past? It is both a legitimate and suggestive study to learn how the Romans faced the problems with which we still have to deal, how their elections were conducted, what services and promises were most potent in attracting voters, what perils threatened the state through a suffrage exercised as his right by every citizen, however poor or ignorant he might be, how violence, bribery and corruption were employed to secure high office in the state, and what measures were taken by patriotic citizens to stem the tide of evil, and to defend the free institutions of the country against the assaults of ambitious and designing men.

\*The authorities on this subject are Willems, Gentile, and Marquardt and Mommsen. The discussion by Gaston Boissier in the *Revue des Deux Mondes*, 1882, is particularly genial, and to it I am much indebted.

In order to understand the right of suffrage as practiced among the Romans we need to comprehend the Roman constitution and the nature of the electoral assemblies.

First the constitution. The Roman Republic was essentially aristocratic, in this respect differing from the democratic character of the republics of Greece. Throughout the long career of the Republic the aristocratic element is the preponderant one and puts its stamp on the whole national character, on manners, institutions and ideas. It was not the work of a man or of an hour, but of ages of conflict between the party of the nobles and the party of the commons. In the compromise between opposing interests while at each recurring struggle less power was left in the hands of the nobles and more power passed into the hands of the people, the aristocratic element still remained the real masters of Rome. What was openly lost by the aristocracy was still maintained by the exercise of their influence and authority. How fundamentally aristocratic was the character of the Roman state can be illustrated even from the nature of Imperial rule. On the morrow of the establishment of the Empire, which owed its existence to the favor of the lower orders—the right of suffrage was taken away by Tiberius from the people, while the Senate continued its existence as the only check to despotic rule, and divided with the Emperor the respect of the world. Throughout Rome's long career until she stood forth the acknowledged mistress of the world, it was the rule of the nobles that dictated her policy.

In Rome's slow but steady advance from a village occupied by a rude pastoral people to the position of ruler of the known world we see the defects as well as the virtues of aristocratic rule—its selfishness, cruelty and lack of originality as opposed to its perseverance, its courage, its elasticity in defeat, its indomitable energy. These are the virtues of the great ruling races, but never have they been exhibited on a grander scale than by the Romans. These qualities do the nobles exhibit, not merely in contact with foreign nations, but in the long strife with the commons, an enemy much stronger than themselves. Foot by foot are they forced to yield, but only to seek by some clever ruse on the morrow to recover the ground they had lost the day before.

From the earliest existence of Rome the national will was

expressed by the popular assemblies, which passed the laws and elected the magistrates of the city. The king had only a delegated authority, which terminated with his life. The appointment to the regal office reverted on his death to the assembly. This assembly as first constituted is known as the *Comitia Curiata*. It was composed of the first founders of Rome and their descendants. They alone were regarded as Rome's true citizens, and with that citizenship went the inalienable right of voting in the *Comitia Curiata*. This aristocratic assembly represented the thirty curies, or wards, into which the ancient city was divided. Though superseded by the recasting of the constitution under Servius Tullius it lived on, however, with a shadowy existence for centuries until the close of the Republic. Servius had robbed it of its authority, the nobles no longer assembled to its sessions, yet it was religiously preserved, in obedience to the Roman reverence for ancient forms and institutions. It was the practice of the Romans never to destroy anything with the sanction of antiquity. Hence in the later Republic the thirty deserted curies were represented each year merely by thirty lictors, who assembled and dissolved with a stately formality that kept up the semblance of an earlier unlimited power.

It was soon apparent, even to the patricians of Rome, that their exclusive claims must give way, if Rome was to accomplish her high destiny. A keen political insight combatted in them the privileges of their order. They felt that the restriction of the rights of citizenship would reduce Rome to play the role of a petty Greek state with its jealous patriotism which admitted of no expansion. If Rome was to grow, it was necessary for her to change the strangers who had flocked to the attraction of her reputation, into free citizens possessed of full political rights. Hence arose the necessity of enlarging the political basis of Rome, in order that the foreigners who had been attracted might be retained and that the feelings of jealousy and injustice might be eradicated from the disfranchised plebeian masses.

The reform in the constitution, by which the lower orders were incorporated into the state, and the patrician assembly of the *Comitia Curiata* superseded by the new assembly of the *Comitia Centuriata* is attributed to Servius Tullius, fifth in order of the seven Kings of Rome. As all Athenian laws were attri-

buted to Solon as their originator, so all great early constitutional changes were attributed by the Romans to Servius. The Servian Constitution reveals rather the usual tactics of the Roman aristocracy. The substance of authority was still retained by the privileged classes, while they surrendered the form to the rising demands of the new comers. In this new assembly the political preponderance is determined, not by birth as in the curies, but by fortune. The people were divided into five classes, graded according to their assessment. The political astuteness of the aristocratic classes is shown in the large apparent concession to the popular demand for representation whereby, as Livy says, without appearing to exclude any man, they preserved for themselves the reality of power. Of the 193 centuries, or hundreds, into which the five classes were divided, 80 were assigned to the first, or richest class, most of whom were patricians or with patrician leanings, and 18 to the order of the equites, whose natural affiliations were with the nobles. Thus the largest number of votes were wielded by those who numerically were far the weakest. The ability to baffle the wishes of the lower orders was further enhanced by the provision that the majority in any class carried the whole vote of the class. In order, therefore, to wield a controlling influence in the *Comitia Centuriata* it was not necessary by any means that the political sentiment of the first or second classes should be unanimous, it was sufficient that in each the feeling should be strong enough to overpower the opposing interest. Thus with one hand the aristocracy retained what with the other they had the air of surrendering.

Still a great step forward had been made by the plebs. They had a country. They felt, however, they had been outwitted by the patricians, and that the *Comitia Centuriata* was always at the discretion of the nobles. By dint, therefore, of complaints and menaces, they extracted from the fears of the aristocracy the establishment of another popular assembly, the *Comitia Tributa*. This took shape 150 years after the Servian constitution. In this assembly the privileges of the higher classes were reduced and the will of the lower orders received effect. With the exception of the Consuls, Praetors and Censors, who were still elected by the *Comitia Centuriata*, all other officers of



state, the Tribunes of the people, Quaestors Ediles and minor officials were elected by the *Comitia Tributa*. In this new assembly the voting was not confined to the city as in the case of the *Comitia Centuriata*, but took place also throughout the country districts adjoining the capital. In order that the will of the people might be the better carried into effect, out of the 35 tribes, or districts, but four were assigned to the capital, the other 31 tribes were in the country. Thus the authority of the nobles, who were largely centered in Rome, and that of the vast army of their clients was reduced to a minimum.

In the *Comitia Tributa* all distinctions of rank and fortune were ignored. The voting was carried on in each tribal centre on the territorial principle that prevails to-day among modern peoples. Through this assembly the lower orders had obtained a voice and gained an importance that made itself felt. They forced the adoption of many of their resolutions on the nobles and their decisions became obligatory on the whole state.

Their influence in course of time became so great that in face of the danger that grew increasingly threatening, the aristocratic party felt compelled to compromise with the populace by modifying the nature of the *Comitia Centuriata* established under Servius Tullius. While the division of the people into five classes was retained no such preponderance on the part of the nobles was reserved as under the Servian arrangement, by which the will of the lower orders could be vetoed. The five classes, under the compromise between the two opposing systems, were divided into two centuries each. By this new readjustment the balance of power was transferred to the third or intermediate class. The old assembly of the centuries thus assumed a more democratic character and enabled the majority of the nation, when it was compact and seriously bent on enforcing its views, to carry its point with success. At what time this compromise was effected it is impossible to say with any degree of positiveness, but it seems to have taken place shortly before the second Punic War. Then for the first time do we see consuls of plebeian origin, Flaminius and Varro, detested by the nobles, leading forth Rome's armies to resist the Carthaginian foe, a clear proof that the old assembly of the centuries had been radically modified and had received a new form and character.

It might appear that with the *Comitia Tributa* voicing the opinion of the masses, and with all the higher offices now thrown open to every citizen in the *Comitia Centuriata*, the government of the Roman state was a truly popular one. But by means of two checks upon the free choice of the people, the patrician party, while conceding apparently the more pressing demands for reform, took their precautions to obstruct the democracy and to retain in their own hands much of their earlier authority.

The first means of thwarting the people was the giving of a higher value to a vote in the superior classes than it had in the lower. Every citizen, high or low, was a voter and in theory eligible for the loftiest position in the gift of the electors. But the vote was not individual, nor of the same value in the last class of citizens as in the first. On the reorganization of the *Comitia Centuriata*—the supreme electoral assembly of the Romans—there was incorporated into it that feature of the *Comitia Tributa* which placed most of the power in the hands of the rural districts lying around Rome, the division namely into 35 tribes or wards. In each tribe the distribution of the voters into five classes, according to the property assessment, held good. The five classes were further divided each into two sub-classes called *centuriæ*—one for the older members (*seniores*), the other for the younger (*juniores*), each century casting one vote. By this system each tribe counted ten votes, and the thirty-five counted three hundred and fifty, which was the complete electoral vote in the reformed *Comitia Centuriata*. The first or highest class in any tribe thus commanded two votes, in all the tribes seventy. By an alliance with the next class it commanded an additional seventy votes, and was thus enabled to cancel the 140 votes of the lowest classes, the fourth and fifth. The third or middle class thus held the balance of power, and as a rule it favoured the higher conservative element. The majority of centuries does not therefore necessarily represent the majority of citizens, the candidate elected is often raised to office by the vote of the minority, and the preponderance is still preserved for birth and fortune.

The second check by which the patricians could thwart and defeat the will of the people was effected by an alliance with the priesthood, whereby the all-powerful influence of religion was

introduced to wrest the victory from the majority. No nation lay more under the rule of superstitious fear than the Romans. No voyage could be undertaken or warlike enterprise entered on without consulting the will of the gods. Alike in the petty concerns of the individual and the great concerns of the state, the religious ceremony was an indispensable preliminary, and the victims were examined for favourable omens. So powerful was the priestly body, and so magnificent its endowments, that its members were largely recruited from the ranks of the nobles. The priesthood, therefore, from its social position and enormous wealth, constituted a powerful element in the state, and in times of crisis it used its authority on the side of patrician rule. The alliance of religion and conservatism is not an unusual one. At all times and under all forms of government we find the two forces working in unison with each other. Both are rooted in the past, cling to the long traditions of their earlier power, and give ground slowly and reluctantly to the *Zeit-Geist*, the innovating tendencies of their contemporaries. It was through this intimate union between the patrician order and that of the priesthood that the final effort was made by the higher classes to thwart the will of the people. When the tide of popular feeling ran high in favour of a candidate obnoxious to the nobles, the consul, who always supervised the voting, could stop the election by a previous understanding with the augurs.

The report from the augurs that the victims were unfavourable, that there were menacing signs in the sky, or that thunder had been heard in the distance, was sufficient to stay the proceedings. Turning gravely to the citizens with the simple words, "*alio die*"—"on some other day"—the consul stopped the election and dissolved the assembly.

Of all the elections that for the office of consul excited the deepest interest in the citizens and the keenest rivalry among the candidates. As the highest honour in the state, it called forth in the aspirants unwearied effort, the most subtle finesse, and enormous expenditure, to bribe and amuse the voters. Only those who had already distinguished themselves in the service of their country were qualified to be aspirants for the consulship. Access to it was as carefully guarded as the approach to an Egyptian temple through an avenue of sphinxes.

For fifteen long years must the apprenticeship last, during which the candidate must pass through the lower offices before aspiring to the higher. The Quaestorship was the lowest of the great offices and was regarded as the first step (*primus gradus honoris*) in the upward progress towards the Consulship; then came the Edileship and next the Praetorship. Only extraordinary resolution and ambition combined with great wealth or great talents could hope to reach the goal. But if the candidate, supposing him a *novus homo* as Cicero was, through the force of his genius and of public favor, gained the coveted honour, he stood forth the foremost citizen in the whole world, the crown and fountain of all power, the chief citizen of the greatest and most glorious of all peoples. By his success he not only ennobled himself, but he threw lustre for all time to come upon his family, and along with himself he lifted up to a higher social position his friends and all connected with him.

Hence arose that passionate desire which carried the candidate through the long years of preparation for the crowning effort of his life. He founded the family by his success, and the tradition of his high office could not but clothe his descendants with splendor to the minds of a people amongst whom traditions had so much force.

We are fortunate in having preserved for us by a happy accident a detailed account of the measures to be taken by a candidate who wished to arrive at success. This is a letter written to Cicero by his brother Quintus, a restless but clever man, who was thoroughly versed in the politics of the day, and had carried many intrigues to success. His letter, to which he gave the name Candidate's Manual "*commentariolum petitionis*," was so highly esteemed by the great orator that he corrected it and at a later time had it published. Quintus had a genius for public life, and the words he applies to Aurelius Cotta might rather be applied to himself, "*in ambitione artifex*," a perfect adept in the art of canvassing. He elevated electoral strategy to the height of a science, and in its way the Candidate's Manual is almost as noteworthy as the *Prince* of Machiavelli. He reduces to a systematic body of principles the scattered practices of former politicians.

From the time of his election to the Quaestorship the candi-

date kept ever in his eye the crowning honor of the Consulship. In order to reach the higher position of Edile it was necessary to dazzle and amuse the people and thus secure their favor. The lavish shows with which a candidate brought himself before the notice of the people, were such as no private fortune could sustain without being exhausted. Hence each officer on being elected secured appointment in some recently conquered province, that he might be prepared to push his claims on his return. This explains in part the almost universal rapacity, cruelty and venality of Rome's representatives abroad. Cicero was one of the honorable exceptions. Most were of the type of Æmilius Scaurus, son-in-law of Sulla, who, while Edile and looking for the Praetorship, built a theatre at the cost of \$4,000,000, to hold 80,000 people, the first story of marble and the second of glass, decorated with 360 columns and 3,000 marble statues.

Curio, however, in lavish display surpassed even Scaurus. He had two theatres constructed back to back, in one of which comedies were played, in the other tragedies. In the evening, without disturbing the spectators, the two buildings moving on rollers were wheeled round to form an immense amphitheatre in which were exhibited combats of gladiators and wild beasts.

In order to win the favor of the people it was necessary also to approach them personally. Ample time was given to do this in the period elapsing between the filling of the Praetorship and suing for the Consulship. Between these offices two years must have elapsed. Says Quintus, "No corner of Rome must be neglected." Even the slaves must be approached. Their good will, though they have no vote, will not be without result. They can influence others. Any show of moroseness on the part of a candidate or disposition to avoid close contact with the voters was construed as an insult to the sovereign people. Hence Cato, who left the canvass to his friends, never reached the Consulship. And Servius Sulpicius, the great jurisconsult, the most eminent man of his day, and most worthy of high office, was compelled to sue for ten years, owing to his too great hauteur, though he won the Consulship at last through the admiration caused by his perseverance.

In order that the candidate clothed in white (*in toga candida*) might be formally announced as in the field he must on certain

days appear in the Forum and take part in a ceremony which was part of the official routine, namely, the *prensatio* or hand-shake. If a candidate does not enter heartily into the spirit of the practice it is all up with his chances for election. Not only must the candidate shake hands, but he must name the elector as well. Any manifestation of ignorance or hesitation to recognize an elector was most damaging. Following the candidate as his shadow was the *nomenclator*, whose business it was to know every one and to prompt his chief.

The election for consuls took place in July, although the successful candidate took office only in January. The votes were polled in the Campus Martius, between the Capitoline Hill and the Tiber. Thither repaired before daylight the consuls and their staff. Then, after sacrifices and prayers, the order was given by the presiding consul that the people should range themselves by their tribes and classes. Before the mass of the electors deposited their votes one century called the *centuria praerogativa*, selected by lot out of the nearly four hundred centuries, advanced to make its choice. This was regarded by a superstitious people like the Romans as an indication from heaven of the suitable candidate. All undecided voters followed the choice of the *centuria praerogativa*, and it was but seldom that a candidate was rejected if he was accepted by the *centuria praerogativa*.

It is interesting to compare the mode of voting as practised nowadays with the practice of Rome. There were no electoral districts such as now obtain. All Rome, which means the whole Roman world, voted in one place, and vast as were the numbers of the voters, the result was known before evening. Within a vast enclosure, fenced in by high wooden planks, and called *ovile* or the *sheep pen*, did the voters troop. There were as many entrances to the *ovile* as there were centuries. Between the entrance and the *ovile* stretched long passages called *pontes*, through which the voters filed one by one, and as they reached the inner extremity of the *pontes* they deposited their ballots. The aim of the *ovile* was to prevent an elector when once he had voted repeating the operation.

There the electors remained till the voting was finished, exposed to the rain and the sun. Julius Caesar had formed the purpose of building a magnificent structure of marble pillars,

with a roof and elegant porticos. Augustus brought his plans to completion, but with the rise of the empire passed away the rights of the people, and when a building was erected worthy of the state's highest functions there were no longer any voters to fill its courts.

As long as the plebeians by a long continued and patient struggle were raising themselves to a level with the patricians in their right to fill the highest offices of the state, the franchise remained comparatively pure. But when after passing from a monarchy into a patrician oligarchy, and then to an oligarchy of wealth—when the art of canvassing degenerated into the gentle art of bribery—Rome was ripe for Despotism, which did not long delay in coming.

Numerous laws were passed against bribery, but their very number shows their powerlessness to stay the evil. There was always some way of evading the severest measure. Candidates were forbidden to exhibit beasts and gladiatorial shows, but there was nothing to prevent one's friends doing so in his stead. Towards the end of the republic no one voted without being payed. The corruption was reduced to a regular system. It was lost time to bribe individuals, voters were purchased by centuries and tribes. It was necessary to deal only with the few leaders in each group. Thus the candidate had always at hand bands to attack an opponent, to drown a rival's voice when he gave a public address or to applaud the side they adopted. The leaders of these purchaseable groups were called *divisores*, and so open was the commerce between them and the candidate that they were publicly received by an aspirant and treated as men of consideration and importance in the community. The most honest citizens were compelled, unless they were willing to leave the state in the hands of miscreants, to resort to the same culpable means. The stern Cato, in order to prevent Caesar's election to the Consulship, furnished from his great wealth the means to Bibulus to oppose him. Cicero, with his easy-going conscience, defended in 699 the Consuls who had succeeded in gaining office by bribery. Because they were friends of Pompey he brought all his powers of oratory to bear and succeeded so well as to get them acquitted. But in writing to his friend Atticus, he mournfully says, "We have no longer any govern-

ment or Commonwealth. We have lost not only the reality of the laws, but even their semblance and shadow."

A people that surrenders its self-respect, and puts up its favor to public auction, is not worthy of freedom. Universal suffrage without universal education is an added menace to civilization—the knife in the maniac's hand. The Caesars are, therefore, the less deserving of censure in taking from the Romans the privileges of a suffrage which they only abused.

A. B. NICHOLSON.

### THE TEACHING OF ANCIENT HISTORY.

IT is obvious that in our already overcrowded courses in Classics and History no detailed treatment of this subject is practicable; it is equally obvious that no University can afford to neglect it altogether. Thus it is of great importance to discover the best method of employing the limited time at our disposal; we must either concentrate attention on a given period, or, if we attempt to cover the whole ground, must be content with a very general, not to say sketchy, treatment. This being so, it seems better to give the student a skeleton which he may hereafter clothe with flesh, rather than, so to say, to give him an exhaustive knowledge of the big toe, or even of the brain, of his subject; he will thus gain methods which may be used in future study, even if his actual knowledge is somewhat inadequate. As the late Principal of Glasgow says: "It is the province of the higher education to bring the mind, by the exercise of its own independent efforts, to the knowledge not of the net results of inquiry on any subject or class of subjects, but of the principles on which they depend, and of the processes which lead to them." This is especially so in the case of a subject in which there is really some chance of getting students to continue their work after leaving the University. The great majority of men who enter business or embrace one of the learned professions have neither time nor inclination to continue their study of the classics; but they do desire to pursue some course of reading, if only as a relaxation, and to such men History may be recommended, since it combines pleasure with profit and



may be studied with comparatively little loss by those who are familiar with the English language alone. The tendency of the present day is, no doubt, to specialise, and it is certainly true, as the Master of Balliol was never tired of impressing upon us, that the Universal apart from the Particular is meaningless. But, after all, specialisation can be overdone, even in the case of German Professors, much more in that of Canadian students. In reading too many modern histories we wander with parched throats amid endless deserts of arid detail, unrelieved by the smallest oasis in the shape of a generalisation. The Particular apart from the Universal is equally meaningless and much less interesting. Few things are more valueless than to study a portion of History while neglecting the period out of which it sprang, and that into which it developed. An outline, however bare, can always be filled in, but to begin with the detailed study of a period usually involves a permanent loss of perspective. As history is at present taught, Sicily and Carthage suddenly leap into the story of Rome full-grown, and in their armour, like Athene from the head of Zeus; the Gracchi flash before our astonished eyes like bolts from the blue; while the Hellenisation of the East, one of the most important developments in the progress of mankind, is often so utterly neglected that the student considers the Mithradatic wars as in some way a continuation of the Persian invasion of Greece. Of the great march of Ancient History, of the many streams which gradually converged into the universal Empire of Rome, until the City of the Seven Hills came to include among her citizens the whole population of the civilized world, he has usually a very inadequate idea.

It may be said that this elementary knowledge should be given previous to the entrance of the pupil into the University. But while none can deny that in many of our High Schools and Collegiate Institutes excellent work is done, they labour under several disadvantages. The text-book which has been forced upon them is full of such grotesque errors, and even where it is correct is so utterly sterile and unprofitable, that only an exceptional teacher can interest his pupils in the subject; and even if a proper text-book were provided, the High School is better fitted to stimulate interest by drawing vivid pictures of men and

events than it is to explain the tendency which those events illustrate. Any boy of average intelligence can be roused by the story of Marathon and of Cannae, by the career of Alcibiades or of Scipio, but, as Aristotle says, "the very young are incapable of understanding general ideas;" hardly in the University, certainly not before his entrance into it, is the average Canadian fit to penetrate to the inner shrine of history, and to see the stream upon whose surface the greatest man is swept helplessly along.

But I shall leave these general considerations, and attempt to give a more definite outline of a course which, though far from perfect, would at least be an improvement upon our present system. In the first place History should be taught systematically, and not in occasional digressions, however interesting. Lectures should be given at least once a week, in which on the one hand reference should be made to the historical authors who are included in the classical course; and which, on the other, would enable the classical professor to read those authors, from the literary and philological standpoints, instead of being compelled, as at present, to hover between different and often discordant points of view, to the no small disadvantage of both; a method which in another branch of the subject reaches its climax of absurdity by forcing us to read Aristotle as part, not of the Philosophical course, but of the Classical.

The lecturer should begin with some account of Homeric Greece, and of that brilliant Achaean civilisation which had its centre at Mycenae, and of which such interesting relics are still being discovered. Though we are in the dark on many points, we know for certain that from about the Sixteenth to the Twelfth Century B.C. a powerful race with many oriental characteristics held sway in the eastern part of the Peloponnesus, and that they were in close commercial connection with Asia Minor and with Egypt. Some passing reference should be made to the land of the Nile, which, though lying apart from the main stream of ancient civilisation, possesses a charm and a mystery which even Cook's excursions cannot stale. Passing rapidly over the Dorian migration, the planting of colonies in the eighth century, and the age of the tyrants, we come to the Persian invasion. Of this, and of the succeeding hundred years, a lengthy account is usually given; but it should

certainly be prefaced by some slight description of the successive empires which rose and fell in the fertile region between the Tigris and the Euphrates, and of the elaborate system of government built up by Darius Hystaspes, called by his subjects *ὁ κάπηλος*, the petty trader, but in reality one of the greatest organisers of ancient times. I may here suggest that as Ancient History becomes, as it is bound to do, more and more separated from the course in pure Classics, it should not remain solely in the hands of the Professors of Latin and Greek, but should comprise lectures on the Oriental monarchies by those who have the most intimate acquaintance with the subject. The triumph of Macedon is usually studied in some detail, but here the knowledge of most of us stops. Of the conquests of Alexander, of his far-reaching plans for the consolidation of his vast empire, of the kingdoms of his successors the Diadochi, the student of Honour Classics need know, and usually does know, nothing. Even in that part to which sufficient attention is paid, too much time is spent in narrating the long border scuffle of Athens against Sparta and Thebes, and too little in explaining the inner structure of the *πόλις*, that marvellous organism which even Aristotle, the tutor of Alexander, considered *τέλος τῆς ἀγαρξείας*, the absolutely final and complete form of civic organisation. No man's welfare is enhanced, either in this world or in the next, by knowing who hoisted the shield from the walls of Athens after the battle of Marathon, or why Pleistoanax did not advance further than the Thriasian Plain, but it is of very great importance to know what form of government produced the greatest statesmen, poets and philosophers whom the world has known. It is the constitutional, not the political history of Athens which is of such great importance, though to a certain extent they are inseparable. In the hundred and fifty years which followed the battle of Salamis Athens passed from aristocracy through various stages of democracy to the rule of the city mob in its most absolute form. At the beginning of the Peloponnesian war the people were controlled by a great and philosophic statesman; in twenty-five years they had sunk so low that at the trial of the six generals the only man who dared to resist their desire for blood was met by the cry that it was "monstrous for any one to attempt to hinder the people from

doing whatsoever they desired." All through the fourth century this decay went on, and the triumph of Macedon, mourned over by so many, was really a glorious and benign necessity. At present we study it in the speeches of Demosthenes, and derive therefrom a wholly distorted view. We cannot refuse our admiration to the great orator; it is impossible not to wish that there had been another termination to the battle of Chaeronea, where the improved armour of the Macedonians and the superior generalship of Philip triumphed over the dogged courage of Thebes and the sprightly valour of Athens, and "the liberties of Greece were buried in the graves of the fallen." But it is equally impossible to refuse our sympathy to the Scotch Jacobites; and we must remember that the devotion of Demosthenes, like that of the Jacobites, was given to a lost cause and an outworn ideal. This is the really important point in the career of Philip; not the maze of intrigues by which he gained a footing in central Greece, over which so much valuable time has been wasted. Chaeronea was not "fatal to liberty;" on that hard fought field Greece died to live; the free city life of Athens passed away, and in so doing produced much fruit; the conquests of Alexander carried Hellenic civilisation over Asia to the banks of the Indus, student of Political Science Alexander and his successors, usually time a *modus vivendi*—somewhat external it is true—was found between the city-state and empire. Alexander himself, and his successors, the Seleucids and Ptolemies, were great founders of cities, from which Greek culture flowed far and wide. Of Alexandria and of Pergamus most of us have heard, but it may surprise some to know that Kandahar and Tashkent owe their origin to the Macedonian conqueror.

Meanwhile in the west, under the presiding genius of Rome, the city-state was expanding in other directions. After a long struggle waged against enemies both within and without, the Republic became ruler of Latium, then of Italy, and then of the shores of the Mediterranean. In narrating this conquest much more attention than is now paid should be given to Carthage and Phoenician colony, yet from our fragmentary knowledge of its opulence, its grisly religion, and of the long political struggle between the peace-loving merchants, and the ambitious House of Barca, a fascinating and instructive picture could be drawn. One or two lectures should be given to Sicily, the great outpost of Greek civilisation in the west. Events now move quickly. Masters of the civilised world, the Romans were confronted in its acutest form with the problem which

Alexander, if he had lived, would have had to face, that of reconciling empire with liberty. How vast that problem is Englishmen and Americans who have a consciousness of their birth-right do not need to be told. Cicero, whose career would be more intelligible if his readers would bear in mind that a man may be a social parasite and yet a true and even devoted statesman, had but the most superficial insight into its difficulties; Caesar saw it, and solved it by cutting the Gordian knot. And yet, though Rome sacrificed liberty to empire, she found a not wholly inadequate substitute for it in the elaborate system of municipal organisation which she devised and perfected. Thus, whereas Athens had proved unequal to her task, and Alexander had found but a superficial solution, Rome succeeded in widening her bonds till "civis Romanus" and "citizen of the world" became synonymous. The possession of Roman franchise was the boast of every free man, from the snows of the Grampians to the desert sands of Africa, from the Loire and the Dordogne to the Tigris and the Euphrates; the Roman genius for compromise succeeded in enlarging the city state, while yet retaining its essential features, until the Gallic poet of the fifth century could say :

Fecisti patriam diversis gentibus unam,  
 Profuit invitis, te dominante, capi;  
 Dumque affers victis patrii consortia juris,  
 Urbem fecisti quod prius Orbis erat.

(Out of many nations thou hast made a single country; that which was once a world has now become a city.)

Thus the many rivers end at last in the great sea. "To the historian Rome must ever be the central city of this earth. Rome is the true microcosm." (F. Harrison.) It is true that even this reconciliation was in the end found imperfect. The municipal system gradually changed from a blessing into a curse; the Roman stock wore itself out; all the horrors of the barbarian invasions were not too heavy a price to pay for the infusion of fresh blood into the exhausted civilisation of Europe. The rulers of India are still toiling at the same problem which perplexed Alexander and Octavian, and unless like Froude we take counsel of despair, and declare that no solution can be found, we cannot do better than study the record of their partial successes and final failure.

I have omitted in this sketch much that is of interest. The lecturer would be compelled to speak, however briefly, of the vast system of municipal government built up by Rome, and of the cruder but not less interesting fabric devised by Athens, with its curious medley of family, social and religious ties; nor could he neglect the Gracchan agitation, which shows so clearly the

results of absentee landlordism, the problem of large estates versus peasant proprietorship, and which proves to all time the folly of violent and hasty legislation based on abstract principles, even when the principles are in themselves sound, and the evils which cry for remedy are flagrant and admitted by all thinking men. Many such points will occur to the most casual student; but what I have tried to illustrate is the necessity of seeing each period in relation to that out of which it sprang and that into which it developed. The Gracchi were not isolated portents, but the products of the wars of the previous century, and of the social conditions which these had brought about; while both the social reformers and the demagogues of the next century look back to them as to their fathers after the spirit; Sulla was produced by the inevitable recoil from the blatant democracy into which the Gracchan zeal for reform degenerated; everything was what it was because of something else; no one link in the chain can be separated from the others. Even if the glance which we are allowed at the great stream of tendency be but fleeting, such a glance is far better than to content ourselves with analysing the animalculæ contained in a few buckets of water drawn almost at random. As well try to judge of a house from a specimen brick as attempt to understand History, whether ancient or modern, by studying a few isolated periods.

W. L. GRANT.

### THE ALUMNI CONFERENCE.

The programme of the seventh Conference, which begins February 13th, 1899, at 3 p.m., is as follows:—

#### MONDAY.

3 p.m.—Interpretation of modern life by modern poets. Prof. Cappon. Discussion led by Professor Dyde and John Marshall, M.A.

8 p.m.—The relation of the pulpit to political and social life, and to the press as the principal exponent of modern life. Papers by Rev. D. C. Hossack, LL.B., and John Cameron, Esq., Editor *London Advertiser*. Discussion led by the Rev. Messrs. Thomas, Peck, Currie and Thompson.

#### TUESDAY.

10-12 a.m.—Isaiah and Micah. Paper by Rev. W. G. Jordan. Discussion led by the Rev. Messrs. Hutcheon and J. R. Fraser.

Noon.—The Chancellor's Lectureship. Professor Watson on "Philo and the New Testament."

3 p.m.—The Church in the 4th century. Prof. Glover. Discussion led by the Rev. Herbert Symonds. (Read *The Arian Controversy* by Gwatkin.)

4.30 p.m.—Business meeting of the Conference.

8 p.m.—The outlook for the Canadian nation. Rev. S. G. Bland. The message of the Church to Canada and the Empire. The Principal. Discussion led by Professors Shortt and Goodwin, and N. R. Carmichael, M.A.

## WEDNESDAY.

10-12 a.m.—Prophecy in the 7th century B.C. Paper by Rev. A. Laird. Discussion led by the Rev. Messrs. Houston, Moore and Jordan.

Noon.—The Chancellor's Lectureship.

3 p.m.—Interpretation of modern life by modern poets. Prof. Cappon. Discussion led by George Mitchell, M.A.

8 p.m.—The new Anthropology and its bearing on the work of the Christian preacher. Papers by Rev. Dr. Begg and Rev. Dr. McTavish. Discussion led by Rev. John Millar and Prof. Ross.

## THURSDAY.

10-12 a.m.—The Prophet Jeremiah. Paper by Rev. John Millar. Discussion led by the Rev. Messrs. Neil McPherson, W. G. Jordan and S. G. Bland.

Noon.—The Chancellor's Lectureship.

3 p.m.—The Church in the 4th century. Professor Glover. Discussion led by the Rev. H. Symonds.

8 p.m.—Ritschlianism; paper by Rev. Mr. Scott. The History of Christian Doctrine to the Council of Nice; paper by Rev. John Hay. Discussion led by Rev. Messrs. R. Laird and R. J. Craig. (Books to be read: Ritschl's *Instruction in the Christian Religion*. Harnack, vol. I.)

## FRIDAY.

10-12 a.m.—The Psalter, Books IV and V. Rev. Dr. Milligan. Discussion led by Rev. Messrs. McGillivray and James A. Grant. (Book to be read: *The Origin of the Psalter*, by Cheyne.)

Noon.—The Chancellor's Lectureship.

3 p.m.—The Church in the 4th century. Professor Glover. Discussion led by Rev. H. Symonds and R. Laird.

8 p.m.—The relations between Legislation and Morality. Paper by A. Haydon, M.A. Discussion led by Professors Shortt and Dyde.

## CURRENT EVENTS.

TO the ordinary Briton the Frenchman has always been more or less of an enigma. The Frenchman, on the contrary, quite understands the Englishman. He is a cross blockhead, to whom Fortune, with singularly bad taste, has taken a fancy.

To the stolid male Anglo-Saxon the Frenchman seems to be particularly womanish. He is gossipy, fickle, excitable and, in crises, hysterical. He is unable to conduct a calm and sustained argument on any vital question. However high the plane on

which the discussion opens, it is apt to descend rapidly to personalities, bad names, incoherent rage and affairs of honour. In their anger the distinction between Frenchman and Englishman is particularly noticeable. When in a passion the Englishman stamps about swearing with shocking coarseness and virulence; the Frenchman gesticulates wildly, rapidly becomes incoherent, and finally dissolves in tears, bereft of utterance. Major Marchand, of Fashoda fame, assures his countrymen that on learning of the Dreyfus affair and the slur cast upon the army, he and his companions burst into tears and were unable to speak to each other for a day and a half. Quite possibly they were not so severely affected, but it is significant that such an expression of feeling was considered highly proper and patriotic. But the most important characteristic of all, as affecting the national and personal element in every affair, public or private. "Measures, not men," was a prominent maxim of English political life in the eighteenth century, not now so commonly heard because less needed. In France practice exemplifies just the opposite maxim, hence the French have never been able to crystallize their political life round definite principles, or confine themselves to two strong political parties, the only machinery by which a responsible parliamentary system can be managed. France is always at the mercy of the hero of the hour. As in Athens of old, the great man must either be made absolute ruler or banished the country. What has oftentimes saved France in the past century, and may save her again to-day, is the rarity with which she produces the masterful mind in public life. The French Revolution itself was a series of *coups d'état*, separated by personal despotisms ending with that of Napoleon. In recent years we all remember the Boulanger episode, and now we have the Dreyfus affair, on quite a different plane it is true, but equally personal from beginning to end. Though originally a minor public matter, yet from the personal fascination in it we find it now with such an enlarging vortex that the army, the courts, the government, and even the mate outcome of this affair depends more upon the personal qualities of one or two individuals than upon the political system or any broad basis of national stability.

The French temperament being what it is, the Fashoda incident presented several features of peculiar danger to the peace of the world, and exposed a lack of wisdom on the part of a number of British politicians and a section of the British press. By a conjunction of events unfortunate for France, the Marchand expedition arrived in the Soudan just at the wrong moment. France, it is true, had been



warned off from that region, but the warning rested upon a very questionable basis, which Lord Salisbury afterwards wisely permitted to lapse, once he had secured a really valid one. Britain herself has not often paid timorous respect to such warnings. By conquest the whole of that southern region had undoubtedly been lost to Egypt for more than thirteen years. The title of the Mahdi and his successors to the country was as good as that of any European power to the greater part of its colonial empire. If, then, France could capture and occupy part of that territory, it would have been very difficult for England to prove a better title; and it might have been excusable for her able editors and newer diplomacy statesmen to rage after the manner of the heathen or of her disappointed rivals as matters actually turned out. But before France had been able to establish her claim, England, wearing the mask of Egypt, had utterly demolished the ruling power, and, by direct right of conquest, succeeded to the whole domain. By this stroke the only possible basis for a French claim had become England's, and to the French was left the barren satisfaction of finding a cathartic expression for their feelings. That the British need not have grudged them.

Finding themselves in a very awkward position without any valid excuse for maintaining it, the question for the French government was simply this, How can we retreat without sacrificing the national honour in general, the honour of the army in particular, and the sensibilities of the people as represented by their various organs of utterance? The French government, itself, occupying no very stable position, naturally temporized, shuffled, and quite generally sparred for wind. The French press, largely of a sensational and irresponsible character, recognizing the opportunity of doing some grandiloquent patriotic writing, and incidentally earning an honest penny, launched out with a largeness and vigour that promised a rapid exhaustion of the new vein which had been opened. But while the French might be expected to cover their retreat in this fashion, the British had no occasion to reply in their equivalents. All that was required of Britain was a calm, dignified and firm statement of her position, with an insistence on the unconditional withdrawal of the French expedition, followed by a polite, patient, but steady refusal to recede from that position. The public contributions of Sir William Harcourt and Lord Rosebery, as representing the Liberal party, were at once timely, dignified, and in keeping with the policy just outlined as showing that the nation was a unit in the matter. But the threats and bluster with which a portion of the responsible British press assailed France, and the public utterances of Mr. Chamberlain, Sir

Michael Hicks-Beach, and the belated effort of Sir Ed. Monson, ambassador to Paris, were worse than uncalled for. They added no weight to the British position, but rather weakened it, while they were particularly galling to the French national pride, which is abnormally sensitive. They gave a welcome excuse to the theatrical French journalists to goad their jaded muse to further hysterical efforts to inflame the public. These are the incidents which will undoubtedly rankle in the French mind when the main incident has been forgotten, and will be cherished for revenge at some future opportunity.

Despite the warnings and protests of a numerous and exceptionally intelligent section of the American people, the United States seems to be pretty definitely committed to a policy of territorial expansion. That the world will gain in consequence is certain, not because the imperialists are the wiser, more capable, or more philanthropic element, but because the burden of ensuring the establishment and preservation of a tolerable if not ideal administration of the new dependencies, will fall largely upon the shoulders of the section which is now protesting vigorously against the assumption of the national burden. Whether the United States itself will benefit to any great extent is much less certain. Economically the direct and immediate result will be the expenditure of millions of wealth with little or no return. In time, however, the opportunity which will be afforded for the fuller development of these richly endowed regions, through the establishment of a stable government and the protection of legal rights, will lead to the production of far more wealth than will be expended by the United States government. What proportion of that return will go to American citizens and what to others is quite another question. It is a much-disputed point in England itself as to whether she has gained or lost, from a purely economic point of view, by her colonial expansion. As regards direct returns she has doubtless lost; but taking indirect returns into consideration she has unquestionably gained. Her gain lay in the joint stimulus and outlet afforded by colonial expansion particularly in the two typical regions of America and India. England was drawn out of herself, her latent energies were stirred and new fields were opened for her capital investments. Once fairly launched, however, British enterprise forgot the flag and roamed the world a free lance. Her trade and capital called for protection from the home government only where local protection was not good, and here is the explanation of all Britain's recent expansion. In those parts of her empire where Britain still controls the fiscal system she holds her economic advantage only as she holds it in the rest of the world, save Canada, by proving her superiority in

a free field. At the same time her free ports afford valuable markets to the rest of the world, so that Britain's gain is the world's gain also.

I have said that Britain's modern colonial expansion has been undertaken chiefly for the purpose of giving security to investment and trade, and in that sense only does trade follow the flag. If, now, the United States will aid in this good work by undertaking the task of giving a strong and stable government to the well endowed but frightfully mismanaged Spanish colonies, the advantage to British trade and capital will be practically as great as though Britain herself held them, while she will escape the burden of governing and defending them. The situation simply reduces itself to this: The United States becomes for the world administrator of the late Spanish colonies, and in return for the outlay involved gets a position of added importance in the world's council and in her own eyes. The profit to private and corporate enterprise in the new field will, however, go to that nation which can best take advantage of the opening. While the whole commercial world will have its share, yet, considering the recent growth of American industry and the stimulus to commerce which the mere sentiment of extended empire will give, the indications are that the greater part of the West Indian trade and a large share of the Philippine trade will fall to the Americans, while the lion's share of the new capitalist investment will belong to Britain. It may be marked that Britain's interest in the world is becoming more that of the investor than of the simple trader, hence the close community of interest between Britain and the United States, the rising commercial power. Another interesting feature of the economic situation is the effect likely to be produced on the internal economic policy of the United States. Notwithstanding the strong protectionist ideas of the present administration and political majority, it appears that the opposite policy is to be adopted with reference to the new possessions. This strange inconsistency is the more remarkable since the millions expended, partly in conquering, partly in purchasing the colonial empire would seem to afford conscientious protectionists an unanswerable argument in favour of making the colonies directly profitable to the mother country. They do not even pay Canada the slight compliment of copying her preferential tariff idea. Some day, however, when the Americans wake up to the necessity of binding the empire more closely together, they may recognize the wisdom of our course, and by tariff manipulation wisely prevent ourselves and the rest of the world from alienating the commercial affections of their colonial empire. Meantime very subtle argument will be required to justify the policy of the open door abroad and the closed door at home.

Of quite another character is the question as to the political and social effects upon the Republic of the new imperial policy. In this respect the experiment upon which the United States is entering will be watched with the greatest interest by all students of politics theoretical or practical. That the Americans will ultimately succeed, though not without blunders by the way, there is not the slightest doubt. A country which has tried so many social and political experiments, and scored so many successes, in addition to surviving so many failures—the great majority of experiments being failures—is not going to make shipwreck of itself over a new attempt at administration outside its own borders. Its national machinery, however, is fitted for domestic not for imperial service. In the system of territorial administration applied to the newer parts of its own country, it has but the rudiments of that new administrative system which must be framed for the dependencies. In this new field the Americans already recognize that they must closely study British models; though they will find there no exact parallels to their own problems. As regards the natives to be dealt with the example of India will be instructive; while in the case of the colonial Spanish element Canada or themselves in Louisiana. In studying these situations they will find as much to avoid as to imitate. That an immense sense of responsibility, to attack these problems in an honest and painstaking spirit is already evident. Whether the administration of the new regions is entrusted to competent hands or not, the results will be subjected to an intelligent and searching criticism which is bound to have its effect in the long run. We must not, however, overlook the danger that a certain line of criticism is likely to be more independent and conscientious than wise. Much of Britain's colonial administration is anything but right-formist conscience. It violates many sacred notions as to the fundamental rights of man, but it is a much more successful administration and in the end commonly more humane, if less self-consistent, than many intermediate foras of British rule results.

In sending out their colonial officials the Americans must not permit any copies of the Declaration of Independence, or any similar literature, to be included in their baggage. All those beautiful idealizations of American democracy, whether in prose or verse, whether delivered from Fourth of July barrel heads or thanksgiving pulpits, must be reverently if they like but firmly placed in the background, for they have no longer to deal with

that noblest product of humanity, the American amalgam, but in the language of the pious Bishop Heber, they are going

“ Where every prospect pleases,  
And only man is vile.”

In fact, the unwisdom of sending as governors ignorant but well intentioned philanthropists could only be exceeded by sending mercenary and conscienceless political bosses. But the drawing of the American national life out of its self-centred absorption may greatly stimulate self-discipline. It was England's colonial experience in its reflex action which did more than anything to raise British political life from the stagnant corruption of the eighteenth century to its present condition. So we may hope that the new factor introduced into American politics may serve to rouse the nation to a higher sense of responsibility and give an increased range to that wise and independent criticism of their own political and social life to which an increasing number of the better element have lately given expression.

Notwithstanding the high position which Canada is supposed to hold in the British Empire it is worthy of notice that, with the exception of the two great Canadian railroads and the national, provincial and civic borrowings, but little interest is taken in the Canadian field for investment by the English financial papers. The chief of them, *The Economist*, which treats so fully of Australian, New Zealand, African, Indian and South American affairs, and has its weekly letter from the United States and the leading countries of Europe, rarely refers to anything Canadian, and then usually in a sharply critical vein. As a matter of fact Canada has not been the grave of more private British capital than several of the other important colonies. But while the others have balanced their failures by a number of brilliant successes Canada has been the scene of several monumental failures and no striking success. The G.T.R. alone, with over one hundred and fifteen millions of dead loss to the British investor, has long been a colossal spectre warning off all but the most adventurous. Many other promising enterprises in the same line, including the Tupper ship railway, in mines, lands, factories, etc., might be given which have resulted in the flattest and most unromantic failures. This experience being so common, many Canadians have come to regard the loss of British money in the country in a very matter-of-fact way accompanied by the soothing reflection that England is such a rich country that it will never feel it. England may indeed survive, but Canada in the end suffers much. Those who have gone to England to float Canadian enterprises know how well the skilled British investor has laid the Canadian experience to heart. But while the regular money market is hard to tempt

with Canadian ventures there is a miscellaneous and ill-informed investing public in Britain which, notwithstanding the experience and information at their disposal, is remarkably gullible, as the Balfout, Barnato and Hooley careers amply testify. A favourite system of commercial finance with Barnato and Hooley and their imitators may be summarized as follows: A central company is first organized with varied and indefinite powers, some of which it may attempt to work out. But its chief function is to float a series of secondary companies to take over and work up particular sections of its own field. A considerable portion of the shares of each dependent company is retained by the promoting company as its share of the profits, and the remainder is offered for subscription to furnish the capital for the enterprise. But the chief bait for the unwary is that, in offering shares for subscription, the shareholders of the organizing company are given a preference, which usually produces the desired impression that the prospects of the new company are so good that its promoters desire to retain as much as possible of its stock. The privileged shareholders take stock liberally, not to hold of course, but to sell at the enhanced price produced by their carefully planned anxiety to secure the shares. Now we are sorry to observe that several corporations of this nature have been organized to operate in Canadian mining regions. It is observable, too, that the front pages of their prospectuses are decorated with names, the commercial value of which, as bait, the gifted Mr. Hooley thoroughly appreciated. The skilful manipulation of Mr. Ogilvie in connection with another company is a further instance of the ability and enterprise which go to the making of a modern prospectus, and which are too frequently found nowhere else in the undertaking. The extent of Mr. Ogilvie's indiscretion in this particular instance has yet to be learned. There is little, however, in the recent resurrection of British interest in Canadian investments to justify our self-congratulations that we have at last lived down the past reputation of the country and that the British capitalist is about to give us his well-founded confidence.

As the above goes to press there comes to hand the last number of *The Economist* with the first of a series of articles on the mines of British Columbia by its special mining commissioner. We shall refer again to the interesting impressions made upon this independent expert; suffice it to say that his first letter quite confirms the impression given. British Columbia, he finds, has much mineral wealth, but "the English floated British Columbian companies to date are a poor selection."

# FALL PUBLICATIONS

<b>Cuba and Other Verse.</b> By Robert Manners... \$1 00	<b>The Head Keeper.</b> A Tale. By Rosa Portlock 50
<b>Essays for the Times.</b> By Rev. E. H. Dewart, D.D., Studies of Eminent Men and Important Living Questions. Net... 75	<b>Dwellers in Gotham.</b> By Annan Dale. A vivid story of New York's social, commercial and religious life ... \$1 25
<b>Steam Navigation.</b> Its History and its Relation to the Commerce of Canada and the United States. By James Croil. With numerous illustrations and portraits ... 1 50	<b>Upper Canada Sketches.</b> By Thomas Conant, with 21 full page colored illustrations, also portraits and map. \$3.50. By mail ... 3 60
<b>Grand Pre.</b> A sketch of the Acadian Occupation. By John Fredric Herbin, B.A. Paper ... 50	<b>Pioneer Sketches of Long Point Settlement.</b> Norfolk's Foundation Builders and their Family Genealogies. By E. A. Owen. With portraits ... 2 00
The same with the poem, "Evangeline" included. Paper ... 75	<b>John Black, the Apostle of the Red River.</b> By Rev. George Bryce, LL.D. With portraits, etc. ... 75
<b>Converse with the King.</b> Scripture Selections for Each Day of the year, arranged topically By Rev. W. H. Porter, M.A. ... 1 00	<b>Christianity's Great Triumph and Her Repulse.</b> By "Clerus." ... 50
<b>Pathfinding on Plain and Prairie.</b> Stirring Scenes of Early Life in the Canadian North West. By Rev. John McDougall. Illustrated by J. E. Laughlin ... 1 00	<b>Harutune; or Lights and Shadows in the Orient</b> By Rev. H. S. Jenyanan. Freely illustrated. 1 25
<b>Sunday School Outlines.</b> A Series of Studies for Normal Classes, Teachers' Meetings, Young People's Societies, etc. By Rev. W. Bowman Tucker, Ph.D. ... 35	<b>Thayendaneaga.</b> (Joseph Brant.) An Historical Drama. Mackenzie ... 1 00
	<b>The Galt Cook Book.</b> A collection of Tested Recipes for the Kitchen, the Dining-Room and the Sick-Room ... 1 00

WE PAY POSTAGE.

WILLIAM BRIGGS, Publisher, 29-33 Richmond St. W., TORONTO.

50 YEARS' EXPERIENCE

# PATENTS

TRADE MARKS  
DESIGNS  
COPYRIGHTS &c



Anyone sending a sketch and description may quickly ascertain our opinion whether an invention is probably patentable. Communications strictly confidential. Handbook on Patents sent free. Oldest agency for securing patents. Patents taken through Munn & Co. receive special notice, without charge, in the

**Scientific American.**

A handsomely illustrated weekly. Largest circulation of any scientific journal. Terms, \$3 a year; four months, \$1. Sold by all newsdealers.  
**MUNN & Co.** 36 Broadway, New York  
Branch Office, 675 F St., Washington, D. C.

## Upper Canada Tract Society.

Keeps for  
Sale

A large and carefully selected stock of Religious Literature, both British and American. Also Text Books for Theological Colleges at lowest prices.

Catalogues Mailed Free to any address on application to

**JOHN YOUNG, Depository,**

102 Yonge Street, Toronto.

# QUEEN'S QUARTERLY,

PUBLISHED JULY, OCTOBER, JANUARY AND APRIL,

UNDER THE AUSPICES OF ALUMNI AND FRIENDS OF QUEEN'S UNIVERSITY, KINGSTON, CANADA.

## Publishing Committee.

JAMES CAPPON, M.A.

A. P. KNIGHT, M.A., M.D.

G. Y. CHOWN, B.A.

G. M. GRANT, M.A., D.D., CHAIRMAN.

N. F. DUPUIS, M.A.

A. SHORTT, M.A.

J. MACNAUGHTON, M.A.

G. M. MACDONNELL, B.A., Q.C.

DONALD ROSS, D.D.

R. V. ROGERS, Q.C., LL.D.

JOHN HERALD, M.A., M.D.

All business communications should be addressed to the Business Manager,

N. R. CARMICHAEL, M.A.,

QUEEN'S UNIVERSITY,

KINGSTON, CANADA

---

## KINGSTON SCHOOL OF MINING AND AGRICULTURE

*Incorporated by Act of Ontario Legislature, 1893.*

---

SESSION 1898-9.

---

Department of Mining and Assaying.—Classes open Sept. 26. Prospectors' course begins Jan. 10, 1899.

Department of Dairying (Fortnightly Classes), commencing Dec. 1, 1898, to April 8, 1899.

Department of Veterinary Practice commencing October, 1898.

---

For Calendar containing information about Fees, Courses of Study, &c., apply to  
W. MASON, *Bursar*, Kingston, Ont.

---

## QUEEN'S UNIVERSITY FACULTY OF MEDICINE

AND

## ROYAL COLLEGE OF PHYSICIANS AND SURGEONS

A Thorough Course in Medicine and Surgery Leads to the Degree of M.D. and C.M.

Practical and Clinical Instruction is given in the amphitheatre of the Kingston General Hospital, L'Hotel Dieu Hospital for the Insane, and the Provincial Penitentiary.

Exceptional advantages are afforded for the study of Practical Anatomy.

The Forty-fifth Session commences on Tuesday, October 4th, 1898.

Animal biology, including physiology, histology and embryology, is in charge of DR. KNIGHT, who devotes his whole time to them. Each student, during his course, mounts over 200 microscope specimens, illustrating physiology and embryology.

Pathology and bacteriology are now taught by Prof. W. T. CONNELL, who devotes his whole time to these important branches.

Further information and Calendar may be had from the Dean, FIFE FOWLER, M.D., or DR. HERALD, Secretary, Kingston, Ont.