GEORGE BUCHANAN'S

DIALOGUE

CONCERNING THE

RIGHTS OF THE CROWN OF SCOTLAND

TRANSLATED INTO ENGLISH;

WITH

TWO DISSERTATIONS

PREFIXED;

ONE ARCHEOLOGICAL

INQUIRING INTO THE PRETENDED IDENTITY OF THE GETES AND SCYTHIANS, OF THE GETES AND GOTHS, AND OF THE GOTHS AND SCOTS;

AND

THE OTHER HISTORICAL

VINDICATING THE CHARACTER OF BUCHANAN AS AN HISTORIAN, AND CONTAINING SOME SPECIMENS OF HIS POETRY IN ENGLISH VERSE.

BY

ROBERT MACFARLAN, A.M.

Pergerent igitur pro virili rem literariam illuſtrare, ac ſe ſuosque cives memoriæ poſteritatis commendare.—BUCHANAN. *De Jure Regni.*

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ERRATA.

Page 13, laſt line but one, for μὲ δὲ read μὲν δὴ.
—— 16, line 8, in the notes, for Αττιλα read Αττηλα.
—— 23, laſt line, expunge ν at the end of ἐξεπορθησεν.
—— 29, laſt line, add ν at the end of κατεσκευασε.
—— 43, line 9, in the notes, for *réla* read *néla*.
—— 61, line 13, for *in* read *for*.
—— 96, line 29, inſert the word *one* after *nor*.
—— 97, line 27, before the word *one* inſert *the*.
——177, line 22, for *Cholperick* read *Chilperick*.

AN

INQUIRY, &c.

THOSE, who, like Ariſtotle, contend for the eternity of the world, judge it impoſſible to trace any nation to its cradle; becauſe the natural hiſtory of our globe as well as the teſtimony of celeſtial obſervations evinces that every region has varied and is conſtantly varying its latitude, ſo that the polar regions will become, as they appear to have formerly been, the equatorial in an endleſs progreſſion. Adding to this conſideration the alterations neceſſarily produced among the human race by migration and conqueſt they find no difficulty in conceiving that there has not been any pure and unmixed nation, nor any original and unadulterated language, for many ages on the face of our planet. But, though ſtaggered by this theory and inclined with Gibbon* to laugh at Attick vanity in deeming the exiſtence of an indigenous tribe poſſible, yet I think it not irrational here to

* Vol. I. p. 220.

indulge my curioſity, and to do in this what I muſt do in every other queſtion, to carry my reſearches into the origin of nations as far as my limited powers and ſcanty materials will admit. In every inquiry phyſical or moral we are always obliged to ſtop ſhort of perfect knowledge. Why ſhould we expect more certainty in hiſtorical inveſtigation?

Having read Ceſar and Tacitus, I had conceived that the ancient inhabitants of Gaul and of the Britiſh iſles were radically the ſame, and that they all ſpoke Gallick, of which the language of the Celts was the pureſt dialect to be found on the continent. Having read Herodotus, Strabo, Curtius and other hiſtorians, I had always underſtood that the Scythians were a diſtinct race totally different from the Getes, as I had conceived the Getes to be from the Goths. I had never ſuſpected that not only the Perſians, but alſo the Greeks and Romans and even the Scots, were Goths. Theſe great diſcoveries, however, have been made, or rather revived, by a living antiquary; and the Athenians, were they in exiſtence, muſt no more boaſt of being Autochthones, nor the Romans talk of Troy as their parent.

I am aware that the nations ſituated to the North-eaſt and North-weſt of the Danube were, as we * learn from Pliny and Procopius, not unfrequently denominated Scythians. But in what ſenſe? As all the Europeans were by the Turks and other Aſiaticks ſtyled Franks from the principal nation firſt known to them, and as the inhabitants of

* Pliny, lib. iv. cap. 13. Scytharum nomen uſque quaque in Sarmatas ac Germanos tranſit; nec aliis duravit priſca illa appellatio quam qui extremi gentium harum ignoti prope cæteris mortalibus degunt.

Procopius, lib. iv. cap. 5. Επι παντα τα εθνη, ἀπὸ τα εκεινα χωρια εἰχον, Σκυθικα μεν παι κοινης ωνομαζετο &c.

the

the northern parts of Aſia are by us called Tartars, though we know many of them to differ widely in almoſt every thing but the general character of humanity. Thus far and no farther were the Getes termed Scythians. Where the Scythians are termed by authors of credit Getes I have yet to learn; for it does not follow that, becauſe every Engliſhman is a Briton, every Briton is an Engliſhman. The genus certainly includes the ſpecies; but it is Gothick ignorance to make the ſpecies neceſſarily include the genus, a paralogyſm of which the abettors of the ſyſtem, which I combat, are notoriouſly guilty. Not wiſhing to be tedious nor to waſte paper and ink to no purpoſe I proceed without further preface to quote my authorities againſt the identity of the Scythians and Getes, the fundamental article of the Gothick creed.

If the Scythians and Getes were the ſame race, it could not be a ſecret to the Scythians themſelves. What are their words? In the ſpeech of their ambaſſadors to the deputies of the neighbouring nations, when their country was invaded by Darius, Herodotus has recorded theſe expreſſions, which are very cloſely tranſlated. "The Perſian has come no more againſt us than againſt you; nor will he, after our overthrow, be ſatisfied and abſtain from you. Of this reaſoning we ſhall give you a ſtrong proof. If the Perſian led his army againſt us alone, in order to puniſh us for having formerly reduced him to ſlavery, he ought to have abſtained from injuring others and to have confined his devaſtations to our country; and he would thus have made it evident to all that the Scythians and no others are the objects of his expedition. But now, upon coming over to this continent, he immediately ſubdues every nation that comes in his

way, and keeps under his dominion as well the *other** Thracians as the Getes, our next neighbours."

Here we have the teſtimony of the Scythians themſelves, and of Herodotus, that the Getes were a Thracian nation, that neither the Thracians, the generick name, nor the Getes, the ſpecific name, were Scythians, and that it was the Scythians properly ſo called and not the Getes, that had invaded and conquered Aſia, and made the Perſians ſlaves.

In another paſſage Herodotus calls the Getes "the braveſt and juſteſt of the Thracians †," and puts it beyond doubt that the Greeks conſidered them as a tribe of Thracians, the general name of that race of men, who ſpoke the Thracian, of which the Getick was a dialect.

In a third place the ſame author ſays "The‡ Agathyrſi in other uſages nearly reſemble the Thracians (or Getes); but the Neuri uſe the cuſtoms of the Scythians." Had he contended that the Getes and Scythians were the ſame people, could he have found words more contradictory to that notion?

The teſtimony of Herodotus is the more worthy of belief that he appears to have § perſonally viſited

* Melpomene, cap. 118.—τυς τε δη "αλλυς" εχει ὑπ' ἑωυτῳ Θρηϊκας, και δε και τυς ἡμιν εοντας πλησιοχωρυς Γετας, &c.

† Γεται—Θρηϊκων—ανδρειοτατοι και δικαιοτατοι. Melpomene, cap. 93.

‡ Melpomene, cap. 104. Αγαθυρσοι—αλλα νομαια Θρηϊξι προσκεχωρηκασι· Νευροι νομοισι χρεωνται τοισι Σκυθικοισι.

§ Melpomene, cap. 81 & 82. Τοσονδε μεν τοι απεφαινον μοι εις οψιν—μετιξυ Βορυσθενεος τε ποταμυ και Υπανιος εξακοσιυς αμφορεας ευπετεως χωριον—χαλκηϊον· παχος δε δακτυλων ἑξ. Τυτο δε ελεγον οἱ επιχωριοι απο αρδιων γενεσθαι· Ϛυλομενον γαρ τον σφετερον βασιλεα, τῳ ονομα ειναι Αριαπειθην, ζητον ειδεναι το πληθος των Σκυθεων, κελευειν μιν παντας Σκυθας αρδιν ἑκαστον μιην απο τῳ εωυτυ κομισαι· ὁς δ' αν μη κομισῃ θανατον απειλεε.

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the Scythian diſtricts lying between the Hypanis and the Boryſthenes or Nieper; as he gives from ocular inſpection the dimenſions or rather capacity of a brazen veſſel made by order of Ariantas, a Scythian king, with the points of arrows furniſhed by each perſon in order to aſcertain the numbers of the nation.

Zamolxis, if we believe Herodotus * and Diogenes Laërtius †, was the legiſlator of the Thracians, and therefore of the Getes, whom by way of deriſion the Greeks called the "immortal" Getes. Anacharſis is by all authors allowed to have been the only known philoſopher among the Scythians. How are theſe oppoſite poſitions to be reconciled, if we admit the identity of the Scythians and Getes?

The teſtimony of Ovid ‡, who, after a reſidence of ſix years in Pontus, became a Getick poet, is alſo deciſive. What does the mournful exile ſay?

Between § Scythia and the Getes what have I to do with the Sicilians?

Around ‖ me is the ſound of Thracian (or Getick) and of Scythian mouths.

Cloſe ¶ by me ſtand the Scythian vulgar and the breeched mob of the Getes.

I have ** now learned to ſpeak the Getick and Sarmatick.

* Melpomene, cap. 94 & 95.

† Dio. Laër. in procœmio. Ενιοι φασι της φιλοσοφιας αρξαι Θρᾷκα Ζαμολξιν.

‡ Ex. Ponto, lib. iv. ep. 10. Hic mihi Cimmerio bis tertia ducitur æſtas Littore—.

§ Triſt. lib. iii. eleg. 12. Quid mihi cum Siculis inter Scythiamque Getaſque?

‖ Triſt. lib. iii. eleg. 14. Threïcio Scythicoque fere circumſonor ore.

¶ Triſt. lib. iv. eleg. 6. Vulgus adeſt Scythicum braccataque turba Getarum.

** Triſt. lib. v. eleg. 12. Jam didici Getice Sarmaticeque loqui.

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The bard every where makes the ſame diſtinction between the Scythians and the Getes, between the Sarmatick and the Getick. Who then were theſe Scythians, whom he thus diſtinguiſhes? The Sarmatians; for it appears from the whole ſtrain of his elegies and epiſtles that, except ſome broken Greek, no languages were ſpoken in his neighbourhood but the Getick and Sarmatick.

But ſays my antagoniſt, Ovid informs us that the Getes and Sarmatians maintained an intercourſe in a "ſocial *, or (if you will) in an allied tongue. What then? Does it follow that they were radically the ſame? By no means. The borderers of all nations, however different their languages may be, never fail, like the Engliſh and Welch, the Engliſh and Iriſh, the Poles, (or Sarmatians,) and Germans, to carry on a ſocial intercourſe. Had the poet ſaid *Cognatæ* exercent illi commercia linguæ; had he ſaid that they uſed a *kindred* language, the aſſertion, though obviouſly founded in errour, might require ſome refutation. But Ovid knew the force of Latin words too well to be guilty of ſuch a barbariſm. The Ruſſians and Poles, the deſcendants of the Scythians or Sarmatians, may and actually do maintain a ſocial intercourſe with the Germans, though their languages have no affinity.

Nor is Ovid ſingular in conſidering the Sarmatians as Scythians. Herodotus had from perſonal knowledge aſſerted the ſame fact many ages before him, and Ephorus, Strabo, Trogus and Curtius after him. Without multiplying words I ſhall quote their expreſſions, and leave the reader to judge for himſelf.

"The † Sarmatians, the progeny of a body of Scy-

* Exercent illi ſociæ commercia linguæ. Ovid. Triſt. el. x. lib. v. l. 35.

† Melpomene, cap. 117. Φωνὴ δὲ οἱ Σαυρομαται νομιζεσι

thian

thian youths and Amazons, ſpeak the Scythian language, but not without ſoleciſms, as it was at firſt but imperfectly learned by the Amazons." Who ever pretended that the Sarmatick or the Sclavonick was the ſame language as the Teutonick? Let any inquirer peruſe Melpomene from chapter 108 to chapter 118, and, if he cannot clearly ſee the truth of what I here aſſert, he muſt be blinded by prejudice and reſolved to diſcern nothing but what is Gothick. Ephorus, as Strabo * tells us, ſays that "there was ſome difference between the Scythians and Sarmatians," as there is to this day between the Ruſſians and Poles, and thus agrees in his account with Herodotus.

Strabo in ſpeaking of certain tribes ſays, "In † a more inland ſituation than theſe are the Sarmatians, who are themſelves alſo Scythians." In another paſſage he has theſe words, "The ‡ plain of the Iberians is inhabited by that part of the nation that is moſt addicted to agriculture and attached to the habits and cuſtoms of the Medes; but the mountainous regions are occupied by the moſt numerous and warlike, who live in the manner of the Scythians and Sarmatians, their next neighbours and kinſmen."

The elegant and ſententious Quintus Curtius is, however, the moſt clear and pointed in his evidence, which is the more to be regarded that

Σκυθικη, σολοικιζοντες εν αυτη απο τυ αρχαιυ, επει υ χρηστως εξεμαθον αυτην αι Αμαζονες.

* Strabo, lib. vii. p. 463. fol. Amſtelodami, apud Wolters. Εφορος δ' εν τη τεταρτη μεν της ιστοριας—φησιν επι τελει ειναι των τε "αλλων" Σκυθων και των Σαρματων ειης ανομοιως, &c.

† Strabo, lib. xi. p. 753. Ενδοτερω δε τυτων Σαρμαται και αυτοι Σκυθαι.

‡ Strabo, lib. xi. p. 764. Το μεν ουν πεδιον των Ιβηρων οι γεωργικωτατοι οικυσιν Αρμενιστι και Μηδιστι εσκευασμενοι· την δ' ορεινην οι πλειες και μαχιμοι κατεχυσι Σκυθων δικην ζωντες και Σαρματων, ωσπερ και ομοροι και συγγενεις ειση.

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he wrote, as appears evidently from his expreſſions, after the northern parts of Aſia became, in the words of Strabo, better known in conſequence of Alexander's expedition and of the wars between the Romans and Mithridates and the Parthians. In Engliſh theſe are his expreſſions, "The * nation of the Scythians lies to the north-eaſt of Thrace, from which it is at no great diſtance, and is not, as ſome have thought, a frontier nation but a part of the Sarmatians."

Curtius † proceeds, "The Scythians, who are ſtill formidable to their neighbours, inhabit a champaign and fertile country; they have poſſeſſions in Europe and in Aſia, and thoſe, who are near the Boſphorus, are reckoned Aſiaticks; but thoſe, who are in Europe, reach in a ſtraight line to the Boſphorus, and from thence to the Tanais, of which the ſtream ſeparates Europe from Aſia; nor is it doubted that the Scythians, who founded the Parthian empire, came from Europe and not from the Boſphorus."

In the ſpeech of the Scythian ambaſſadors to Alexander recorded by the ſame author we have theſe words, "You ‡ may employ us to guard

* Curtius, lib. vii. cap. 28. Scytharum gens haud procul Thracia ſita ab oriente ad ſeptentrionem ſe vertit; Sarmatarum, ut quidam credidere, non finitima ſed pars eſt.

† Curtius, lib. vi. cap. 5. Scythæ regionem campeſtrem et fertilem occupaverunt graves adhuc accolis: ſedes habent et in Europa et in Aſia: qui ſuper Boſphorum colunt Aſiæ aſcribuntur: at qui in Europa ſunt a lævo Thraciæ latere ad Boryſthenem atque inde ad Tanaim alium amnem recta plaga attinent. Tanais Europam et Aſiam medius interfluit; nec dubitatur quin Scythæ, qui Parthos condidere, non a Boſphoro ſed ex Europæ regione penetraverint.

‡ Curtius, lib. vii. cap. 33. Cæterum nos et Aſiæ et Europæ habebis cuſtodes. Bactra, niſi dividat Tanais, contingimus: ultra Tanaim uſque ad Thraciam colimus: Thraciæ Macedoniam conjunctam eſſe fama eſt. Utrique imperio tuo finitimos hoſtes an amicos velis eſſe conſidera.

both

both Europe and Aſia, as hardly any thing but the Tanais (or rather the Jaxartes) ſeparates us from the Bactrians; and beyond the Tanais we reach as far as Thrace, on which, we are told, Macedonia borders. Whether you would wiſh us, who touch your empire at both extremities, to be your friends or your enemies, it is your buſineſs to conſider."

Thus we now find the Scythians and Sarmatians clearly proved to be the ſame people, and, like the Arabians, immoveably fixed in the regions of poverty aſſigned to them by the beſt authors both ancient and modern, by Herodotus and Strabo, by Gibbon and Rennel. Being, as Strabo informs us, kinſmen, they always appear united againſt foreign invaders, againſt Darius, the Perſian, in Herodotus *, and againſt Hermanric, the Goth, in Gibbon †.

We have the ſanction of Curtius already quoted and of Juſtin, or rather of Trogus, in the reference below, for aſſerting that the Parthians ‡ were European Scythians or Sarmatians; and the ſame Juſtin authoriſes us to call the Bactrians § Scythians. Indeed, if we had not theſe authorities as corroborating proofs, we might well reſt ſatisfied with the teſtimony of Strabo ‖ alone, who tells us that the

* Melpomene, cap. 119.

† Vol. ii. cap. 25 & 26.

‡ Lib. ii. cap. 1. Quippe cum ipſi (Scythæ) Parthos Bactrianoſque, feminæ autem eorum Amazonum regna condiderint.

§ Cap. 3. Parthicum & Bactrianum imperium ipſi condiderunt.—Lib. xli. cap 1. Parthi Scytharum exules fuere; hoc enim ipſorum vocabulo manifeſtatur.—Cap. 2. Sermo his (Parthis) inter Scythicum Medicumque medius, et ex utriſque mixtus.

‖ Strabo, lib. xv. p. 1054. Εκτεινεται τ' ενομα της Αριανης μεχρι μερους τινος και Περσων και Μηδων και ετι των προσαρκτιων Βακτριων και Σογδιανων· εισι γαρ πως ομογλωττοι παρα μικρον.

 Perſians,

Perſians, Medes, Bactrians and Sogdians ſpoke nearly the ſame language *. The Sacæ too were Scythians, as we learn from Alexander's admiral, Nearchus †, and from his poet, Chœrilus ‡.

Having thus in ſome meaſure aſcertained the extent and the nations of the Great Scythia, which reached from the Nieper to the confines of India and penetrated far ſouthwards into Aſia, let us now come to the Little Scythia, which, as Strabo § declares, extended at firſt from the Iſthmus (of the Crimea) to the Boryſthenes; but which, from the numbers of Scythians that croſſed the Tyras (Nieſter) and the Iſter (Danube) and expelled the Thracians or Getes, was gradually ſtyled Little Scythia. How could all this be? How could a Little Scythia exiſt in the middle of Thrace, if the Thracians, and conſequently the Getes, were Scythians?

I am aſhamed of having diſcuſſed ſo much at large a ſubject, upon which authority and common ſenſe are ſo totally againſt thoſe that contend for the identity of the Scythians and Getes, who were but a part of the Thracians. Were any farther authority neceſſary, it would be furniſhed by Procopius, who, as ſecretary to Beliſarius, had an opportunity of perſonally knowing the different tribes of the barbarians. In his work the Maſſa-

* Lib. xv. p. 1057. Νεαρχος δε και πλειστα εθη και την διαλεκτον των Καρμανιτων Περσικα και Μηδικα ειρηκε.

† Strabo, lib. vii. p. 464.

‡ Μηλονομοι τε Σακαι γενεα Σκυθαι· αυταρ εναιον Ασιδα πυροφορον· νομαδων γε μεν ησαν αποικοι Ανθρωπων νομιμων.

§ Strabo, lib. vii. p. 478. Σκυθικον εθνος Ταυροι· και εκαλειτο ἡ χωρα πασα, σχεδον δε τι και ἡ εξω του ισθμου μεχρι του Βορυσθενους, μικρα Σκυθια· δια δε το πληθος των ενθενδε περαιουμενων τον Τυραν και τον Ιστρον και την γην εποικουντων, και ταυτης εκ ολιγην, μικρα προσηγορευθη Σκυθια, των Θρᾳκων τα μεν τη βια συγχωρησντων, τα δε τη κακια της χωρας.

getæ,

getæ, whom Mr. Pinkerton calls Goths, and Arrian Scythians *, are Huns, and the Huns are Scythians. Is it conceivable that Procopius, who † was ſo intimately connected with Beliſarius, a Thracian general and a man of the greateſt merit, ſhould not have known whether the Maſſagetæ and Scythians were Getes, a tribe of the Thracians? The thing is impoſſible. Had he been even a ſimpleton, and not a man of ſcience and learning, a perſon of ſhallow underſtanding, and not a ſtateſman of deep penetration improved by education and travel, he muſt have learned the whole from the reſt of the army as well as from Beliſarius, who was a hero of the firſt magnitude; and how a man can be a hero, or conquer vaſt armies with a ſmall force without extenſive knowledge, is a myſtery that will require all the ingenuity of the Goths to explain.

Here I might cloſe the evidence upon this head of the controverſy, were it not that the prejudices of a certain party ſeem to require an anſwer to Mr. Pinkerton's fourteen authorities on the oppoſite ſide.

"1. Strabo, Pliny, Ptolemy, ſays he, all rank the Getæ as Scythians."

Anſwer. Ptolemy ſays nothing on the ſubject, but confines his obſervations to the longitude and

* Arrian, lib. iv. Εν δε μεθορια της τε Σογδιανων γης και των Μασσαγετων Σκυθων.

Arrian, lib. iv. Οι τε Μασσαγεται Σκυθαι κακως πεπραγοτες, &c.

† Procopius, lib. i. Vand.—Μασσαγετων τε και των αλλων Σκυθων εις την Ρωμαιων αρχην εσβαλλοντων.

Theſe Maſſagetæ in another paſſage turn out to be Huns; for Procopius falls into the common error of giving all the tribes in the north-eaſt of Europe and north-weſt of Aſia the name of the principal nation. But he never tells us that the Scythians were Getes or Thracians.

latitude of places; and Strabo and Pliny, as I have already proved by their words, are totally adverſe to the Gothick ſyſtem.

" 2. Juſtin, or rather Trogus Pompeius, ſays that Tanaus, king of the moſt ancient Scythæ, fought with Vexoris, king of Egypt. Valerius Flaccus lib. V. calls the ſame Tanaus, king of the Getæ."

Anſwer. Trogus *, as will appear from Juſtin's words below, does not ſay that Tanaus fought with Vexoris, and the name of Tanaus is not to be found in book V. nor in any book of Valerius Flaccus.

" 3. Trebellius Pollio in Gallieno, Scythæ autem, id eſt, pars Gothorum, Aſiam vaſtabant. The ſame (in Claudio Gothico) Scytharum diverſi populi, Peucini, Trutungi, Auſtrogothi prædæ, &c."

Anſwer. That the reader may not here be miſled, I ſhall give the whole † paſſage in Engliſh without any et cætera, ſubjoining the original at the bottom of the page.

" Laſtly various nations of the Scythians, the Peucini, the Trutungi, the Auſtrogothi, the Virtingui, the Sigipedes, the Celts alſo and the Heruli from a deſire of plunder came into the Roman territory and ſtate." Here the Celts are as ingeniouſly as ingenuouſly omitted by Mr. Pinkerton; elſe they would have as good a title to the appellation of Scythians as the other bead-roll of names.

* Juſtin, lib. i. cap. 1. Fuere quidem temporibus antiquiores Vexoris Ægypti et Scythiæ rex Tanaus, quorum alter in Pontum, alter uſque Ægyptum exceſſit.

† Denique Scytharum diverſi populi, Peucini, Trutungi, Auſtrogothi, Virtingui, Sigipedes, Celtæ etiam & Heruli, prædæ cupiditate in Romanum ſolum et rempublicam venerunt.

If

If it ſhould be ſaid that the adverb " etiam " or " alſo" makes a ſufficient diſtinction, the plea will be of no avail, ſince it is as applicable to the Heruli, a Gothick hord, as to the Celts Hence it is clear that Pollio thought the Celts as good Scythians as the Goths, which renders the quotation uſeleſs. From this example and the preceding ſpecimens the publick will be able to judge whether it is not neceſſary to conſult the originals, where Mr. Pinkerton uſes &c. or mentions only names without any quotation.

" 4. Dexippus called his hiſtory of the wars between the Romans and Goths Scythick hiſtories, and ſtyled the Goths Scythians."

Anſwer. Dexippus being loſt, little needs be ſaid about him. But, had he been an author of the firſt note, he might have called the Goths Scythians, and meant no more than that the Goths were a people from the country generally called Scythia, as Trebellius Pollio had done before him, and as Strabo * tells us that all the northern nations were called by the ancient Greeks.

The other ten paſſages, which this author has produced, amount to nothing but that certain writers frequently confound Getes, Scythians and Goths, making no juſt diſtinction between the generick name Scythians and the ſpecific names Getes and Goths. Except † the Gothick viſionaries, Jornandes and Iſidore, whoſe groſs prejudices and abſurd fictions render their teſtimonies unworthy of notice, the authors quoted are all Byzantine hiſtorians; and that little credit is due to them, as far as names are concerned, we learn from Stritter, a man

Strabo, lib. xii. p. 774. Ἅπαντας μὲν δὲ τοὺς προσβορρους κοινως οἱ παλαιοι των Ἑλληνων συγγραφεις Σκυθας και Κελτοσκυθας καλουσι.

of

of great erudition and induſtry, who at the requeſt and under the ſanction of the Academy of Sciences at Peterſburgh publiſhed memoirs of the nations to the north-eaſt of the Danube extracted from the Byzantine hiſtorians. From his work we learn that " as* it is the cuſtom of the Byzantine

* Tomus i. p. 3. in Summario. Ut nullam fere gentem barbaram ſuo peculiari ſemper nomine vocare, ſed aliena iis affingere, vel rerum ignorantes, vel intempeſtivam affectantes ſermonis caſtitatem, ſcriptores Byzantini ſolent; ita et Gothi apud illos non raro Scytharum nomine veniunt, eoſque præterea olim Sauromatas, Melanchlænos et Getas dictos eſſe produnt. Semel etiam ipſis Vandalorum nomen Cedrenus et Zonaras tribuunt.

† The reader may form a tolerable idea of the romances, which theſe two eccleſiaſticks, the biſhop of Ravenna and the archbiſhop of Seville, were pleaſed to call a hiſtory and a chronicle, from the following ſpecimens.

The former, after tranſporting his Goths acroſs the Baltick from Scania, marches them ſouthward to a land called Ovim in Scythia, and then through Aſia to Egypt, where they defeat king Vexoris and in their return enſlave all the Aſiaticks. Their wives, the Amazons, being in their abſence attacked were not contented with repulſing their enemies, but ſubdued with wonderful good fortune Armenia, Syria, Cilicia, Galatia, Piſidia, and all the towns of Aſia, &c. &c. The men having defeated the Romans and given them Maximin as an emperor and performed many other marvellous exploits are encountered and vanquiſhed by the Huns, an execrable race, ſcarce human either in voice or ſhape, and the offspring of baniſhed Gothick witches impregnated by demons or unclean ſpirits in the deſerts of Scythia, &c. &c.

The latter deriving his Goths from Gog and Magog, on account of the letters *g* and *o* in the beginning of the two firſt words and in the end of the laſt, pronounces them to be the ſame men whom Alexander thought it prudent to ſhun, whom Pyrrhus dreaded, and at whoſe name J. Cæſar ſhuddered, having been only ſaved by night, as he meditated flight. All theſe wonders occurred in the 12th year before the birth of Chriſt, when Cæſar was oppoſed in Theſſaly by the Ethiopians, Indians, Perſians, Medes, Greeks, Scythians, and above all by the valiant Goths.

writers

writers to give hardly to any barbarous nation every where its own peculiar name, but, either through ignorance of the fact or from an unſeaſonable affectation of purity of language, to beſtow upon them the name of others; ſo the Goths are not unfrequently introduced by them under the name of Scythians, and once by Cedrenus and Zonaras under the name of Vandals; and they alſo record that they were formerly called Sauromatæ, Melanchlæni and Getes."

Having peruſed the enormous maſs of forty volumes written by the Byzantine hiſtorians, and examined the paſſages, that bear upon this point, I can ſafely corroborate with my teſtimony, if it have any force, the evidence of Stritter; and, as the original is generally more ſatisfactory than a tranſlation, ſuch as Stritter's, I inſert in the notes a few paſſages* out of the multitude contained in my common-place book.

* Anna Comnena, p. 182. Γενος τι Σκυθικον παρα των Σαυροματων—κατηλθον προς τον Δανουβιον.

Nicephorus Gregoras, p. 20 & 21. Μοιρα Σκυθων παμπληθης ανωθεν εξ υπερβορεων αποσπαθεισα κατεισι μεχρι Κασπιας θαλαττης. Τω δε ηγεμενε Σιτζισχαν τετελευτηκοτος, ὁ μεν υιος Χαλαος κατηει δια της ανω Ασιας. Ὁ δε ἑτερος υιος Τελεπογας—επορευετο δ.α της των Μασσαγετων και Σαυροματων γης πασαν ὑποποιεμενος αυτην τε και ὁσα Μαιωτιδα και Ταναιν παροικεισιν. Ειτα πολυς ερρυη κατω δια των Ευρωπαιων εθνων· πλειστα δε πεφυκασι και παντοδαπα, και λειψανα ησαν των παλαι Σκυθων, Γοτθοι τε και Αμαξοβιοι, (Σαρμαται), Ταυροσκυθαι τε κα Βορυσθενειται. Ουτοι δε ὁτοι και Κομανοι εκαλουντο· ησαν δε οἱ και Σκυθας αυτους κατωνομαζον.

P. 126. Πεμπουσι τινες των ὑπερ τον Ἰστρον Μασσαγετων λαθραιαν πρεσβειαν· Αλανους ἡ κοινη τουτους καλει διαλεκτος.

Georgius Syncellus, p. 382. Τοτε παλιν οἱ Σκυθαι και Γοτθοι λεγομενοι επιχωριως, &c. Ιωνιδας πολεις διεφθειραν.

Theophylactus, p. 67. Ουτε τω Αττηλα τω ἱππω ὁ χαλινος, ὡσπερ των "αλλων" Σκυθων, χρυσω ἡ λιθοις ἡ τινι των τιμιων εκοσμειτο.

Cantacuzenus,

By consulting these extracts the reader will soon be convinced that the Byzantine writers rather perplex than disentangle the Gordian knot of this controversy; as with them the various tribes of the Goths, Sarmatians, Huns and Turks are Scythians. Quotations therefore from such authors on this subject are of as little weight as the assertions of Mr.

Cantacuzenus, vol. i. p. 284. Νομισας δε ὁ βασιλευς ὁ Σκυθας ειναι αλλα τες περαν Ιστρ Γετας, οἱ ὁμοσκηνοι τοις Σκυθαις ὡς τα πολλα εισιν ἱπποτοξοται—τοτ' ηδη καθαρως εφαινετο Σκυθικη ειναι ἡ επιουσα στρατια· ὁ γαρ ησαν τεταγμενοι μετα των Μυσων, αλλ' ιδιαν επειχον ταξιν.

Zosimus. 8vo. Oxon, p. 38. Σκυθων δε οἱ περιλειφθεντες Ερμιλης και Πευκας και Γοτθους παραλαβοντες—εκρυσθησαν.

Priscus Rhetor. p. 55. Τω Αττιλα εις κομην τινα παρεσομενω, ἑν ᾗ γαμειν θυγατερα Εσκαμ εβελετο πλειστας μεν εχων γαμετας, αγομενος δε και ταυτην κατα νομον Σκυθικον, &c.

Procopius, vol. i. p. 178. Γοτθικη εθνη πολλα μεν και αλλα προτερον τε ην και τοιουν εστι. τα δε δη παντων μεγιστα τε και αξιολογωτατα Γοτθοι τε εισι και Βανδιλοι και Ουϊσιγοτθοι και Γεπαιδες. Παλαι μεν τοι Σαυρομαται και Μελαγχλαινοι ωνομαζοντο. Εισι δε οἱ και Γετικα εθνη ταυτ' εκαλεν. Ουτοι απαντες ονομασι μεν αλληλων διαφερουσιν, ὡσπερ ειρηται, αλλῳ δε παντων ουδενι διαλλασσουσι. Νομοις μεν τοις αυτοις χρωνται· ὁμοιως δε τα εις τον θεον αυτοις ησκηται, της γαρ Αρειου δοξης εισιν απαντες, φωνη δε αυτοις εστι μια Γοτθικη λεγομενη.

Idem, p. 574. Γοτθοι τε και Ουϊσιγοτθοι και Βανδιλοι και αλλα Γοτθικα γενη Σκυθαι εν τοις ανω χρονοις επεκαλουντο, επει παντα εθνη, ὁσπερ τα εκεινα χωρια ειχον, Σκυθικα επι κοινης ονομαζεται.

Cedrenus, vol. ii. p. 667 & 668. Τριχη δε των Βαρβαρων διαιρεθεντων, Βελγαροι μεν και Ῥως την πρωτην ανεπληρων μεριδα. Τουρκοι δε καθ' ἑαυτους ησαν μονοι, και Πατζιναικαι ὡσαυτως. Ιωαννης συμπλεκεται κατα τυχην τοις Πατζιναικαις. Πιπτουσιν ευθυς οἱ αλκιμωτεροι των Σκυθων—Ουτω δε τετυς τρεψαμενος και δια των αιχμαλωτων μαθων ὡς και οἱ λοιποι (Ρως και Τουρκοι) προσμενουσι τεταγμενοι τον πολεμον τρεπεται την ταχιστην προς εκεινους.—Τουτο δε το εργον Ῥωμαιους θαῤῥαλεωτερους εποιησε, δειλιας δε και φοβου της Σκυθας επεπλησε.

Nicetæ Annales, p. 10. Οἱ γαρ Σκυθαι (Αμαξοβιοι) γενναιως ὑπεδεξαντο το ἡμετερον στρατευμα τη των ἱππεων επιλασει και τη των τοξευματων επαφεσει.

Pinkerton,

Pinkerton, when he maintains that the Getes were unknown to the Romans till the year 250 of the Chriſtian era, and that the city London derives its name from the Baltick Lunden; though London, as appears from Tacitus *, was a conſiderable place in the firſt century, and the Romans muſt have known the Getes ever ſince the conqueſt of Macedonia in the year 148 before the birth of Chriſt. The † words of Ovid from Tomi at the mouth of the Danube forbid us to doubt that the Little Getia, Little Scythia, and the Lower Myſia were in his time within the Roman province. This inference is ſufficiently confirmed by Eutropius ‡, whoſe narration aſcertains the event to have taken place 70 years before Ovid's exile.

After this cloud of witneſſes from antiquity let us liſten to the evidence of the moderns. Gibbon, who is not leſs diſtinguiſhed for ſublimity of conception and ſplendour of diction than for acuteneſs, accuracy and extent of reading, tells us, after peruſing for twenty years the ancient and modern authors, who have handled this ſubject, that "the curious

* Taciti Annales, lib. xiv. cap. 23. At Suetonius mira conſtantia medios inter hoſtes Londinium perrexit, &c.

† Ovidii Epiſt. ex Ponto, lib. iv. ep. 9. l. 75.

Præfuit his, Græcine, locis modo Flaccus; et illo
Ripa ferox Iſtri ſub duce tuta fuit.
Hic tenuit Myſas gentes in pace fideli;
Hic arcu fiſos terruit enſe Getas;
Hic captam Troſmin celeri virtute recepit,
Infecitque fero ſanguine Danubium.

‡ Alter Lucullus, qui Macedoniam adminiſtrabat, Beſſis Romanorum primus intulit bellum, atque eos ingenti prælio in monte Hæmo ſuperavit: oppidum Uſcudamam, quod Beſſi habitabant, eodem die, quo aggreſſus eſt, vicit; Cabylen cepit; uſque ad Danubium penetravit. Inde multas ſuper Pontum poſitas civitates aggreſſus eſt. Illic Apolloniam evertit, Calatin, Parthenopolin, Tomos, Iſtrum, Byziam omnem cepit, belloque confecto Romam rediit.

obſervation of the lives of the Scythians or Tartars will illuſtrate the latent cauſe of the deſtructive emigrations," which overwhelmed the Roman empire. Does not he in this place conſider Tartars and Scythians as ſynonymous? Nothing can be clearer; and, as he is in himſelf a hoſt, it would be idle to enumerate the multitudes of other moderns, that might be produced.

Had the identity contended for been real, would not the Getes and Scythians have agreed in manners and habits and uſages and hiſtories?

The * Getes ſubmitted to the arms of Seſoſtris and Darius, made their garments of hemp, mourned at the birth and rejoiced at the death of relations, had ſeveral wives, of whom the moſt beloved was ſacrificed at the tomb of her huſband, ſold their children, paid no regard to the chaſtity of their unmarried women, but watched their wives with great care, drank hard, and ſacrificed human victims.

The Scythians, whom foreigners never conquered, lived in waggons drawn from place to place, like the moveable huts of their deſcendants, the Tartars, deprived their ſlaves of eyeſight, drank the milk of mares and the blood of the firſt perſon killed by them in battle, and preſented his head to their king to entitle them to a ſhare of the general plunder. After ſcalping and flaying their enemies they ſuſpended their ſkins properly prepared from the bridles of their horſes, and uſed them as napkins, ſaddle-cloths, and coverings for quivers; or by connecting ſeveral ſkins made them ſerve as ſhelter from the rigours of the ſeaſon, glorying as much in theſe ſavage ornaments as Hercules did in the ſpoils of the Nemean lion. The ſculls of

* Theſe characters are taken from Herodotus.

their

their public enemies and even of their neareſt and deareſt relations, when ſlain by them in a quarrel, they were fond of producing on feſtivals and holidays as drinking-cups. They kept no ſwine, caſtrated their horſes, uſed no baths, but anointed their bodies. The Maſſagetæ, whom Strabo affirms to have been the moſt numerous tribe of the eaſtern Scythians, "killed their old and exhauſted parents, as an entertainment for the family, deeming their own bodies the moſt honourable graves."

Upon the whole, the impreſſion left on my mind by this inveſtigation is that we are juſtified by teſtimony and by the ſimilarity of their language and life in concluding the Scythians and Sarmatians to have been radically the ſame race, and that the Getes, who are allowed by all not to have been Sarmatians, could not be Scythians.

The Goths proved not to have been Getes.

"THE* lucky, though accidental, circumſtance of the name of Getæ infuſed, ſays Gibbon, among the credulous Goths a vain perſuaſion that, in a remote age, their own anceſtors already ſeated in the Dacian provinces had received the inſtructions of Zamolxis and checked the victorious arms of Seſoſtris and Darius." Accordingly "Caſſiodorus†, the principal miniſter of the court of Ravenna, and his epitomiſt, Jornandes, paſſed with the moſt artful conciſeneſs over the misfortunes of the Goths, celebrated their ſucceſsful valour and adorned their triumph with many Aſiatick trophies that more properly belonged to the people of Scythia." "As‡ early at leaſt as the Chriſtian era and as late as the age of the Antonines the

* Vol. i. 4to. p. 299. † Id. p. 244. ‡ Id. p. 247.

Goths were eſtabliſhed towards the mouths of the Viſtula."

But ſeveral tribes of the Thracians, of whom the Getes * were, in the words of Herodotus, "the braveſt and the juſteſt," fought according to Homer † at the ſiege of Troy, and were from time immemorial ſettled in the neighbourhood of Greece.

Indeed the words of Homer ‡ naturally lead us to conjecture that the Thracian language was a ſpecies of Greek, ſince he makes Thamyris, a Thracian, contend with the nine Muſes in ſinging, and it is not reaſonable to ſuppoſe that his partiality for his native language would allow him to conceive the Muſes capable of uſing any language but Greek. The conteſt therefore muſt have been maintained in the only language which Homer held not to be barbarous. Democritus §, Protagoras, and other philoſophers of no ſmall note, were natives of Abdera, a city in Thrace ‖; nor does the famous poet Menander heſitate to boaſt

* Melpomene, c. 93. Γεται—Θρηϊκων—ανδρειοτατοι και δικαιοτατοι.

† B. v. 844. Αυταρ Θρηϊκας ηγ' Ακαμας και Πειρως ηρως.

‡ B. v. 594. ——————— Ενθα τε Μουσαι
Αντομεναι Θαμυριν τον Θρηϊκα παυσαν αοιδης,
Οιχαλιηθεν ιοντα παρ' Ευρυτου Οιχαλιηος.
Στευτο γαρ ευχομενος νικην εμεν, ειπερ αν αυταρ
Μουσαι αειδοιεν, κουραι διος Αιγιοχοιο.
Αι δε χολωσαμεναι πηρον θεσαν· αυταρ αοιδην
Θεσπεσιην αφελοντο, και εκλελαθεν κιθαριστυν.

§ Aul. Gellius, lib. v. c. 3. Is (Protagoras) caudices ligni portabat e rure Abdera in urbem cujus civis erat. Tum forte Democritus ejuſdem civitatis popularis conſpexit adoleſcentem, &c.

‖ Strabo, lib. vii. p. 455.
Παντες μεν οι Θρακες, μαλιστα δ' οι Γεται
Ημεις απαντων· (και γαρ αυτος ευχομαι
Εκειθεν ειναι το γενος) ω σφοδρ' εγκρατεις
Εσμεν———.

in

in the face of an Athenian audience of a Thracian and Getick extraction. The language therefore and the character of the Thracians, and conſequently of the Getes * and Dacians, who were confeſſedly Thracians, could be as little a ſecret to the Greeks as to the Romans; ſince in ſix years Ovid learned not only to ſpeak the Getick and Scythian languages, but alſo to become † almoſt a Getick poet.

Tacitus ‡ affirms that the Gothones were a German nation, and his affirmation is admitted by all the moderns. But what does he ſay of the Peucini, who, as he allows, were by ſome called Baſtarnæ, and who bordered on the Getes? That their language was German, but that in filth and naſtineſs they reſembled the Sarmatians. Had the Getes, who with the other Thracians had fallen in the fall of Perſeus, been Germans in language or uſages, would ſo inquiſitive and accurate a writer have ſtopped ſhort and not ranked them with their countrymen, whoſe habits, manners and dialects were familiar to the Romans from the days of Julius Ceſar and even of Lucullus? Had the Getes been Germans, could it have remained a ſecret for ſo many ages to the Greeks? Strabo § acknow-

* Strabo, p. 468. Ομογλωττοι δ'εισιν οι Γεται τοις Δακοις.

† Ep. ex Ponto, lib. iv. epiſt. 13. l. 14.

——— pæne poeta Getes.

‡ De Germanis, cap. 43. Gothones regnantur paulo jam adductius quam cæteræ Germanorum gentes; nondum tamen ſupra libertatem. Cap. 46. Peucinorum—nationem Germanis an Sarmatis adſcribam dubito; quanquam Peucini, quos quidam Baſtarnas vocant, ſermone, cultu, ſede ac domiciliis, ut Germani agunt; ſordes omnium ac torpor; procerum connubiis mixtis nonnihil in Sarmatarum habitum fœdantur.

§ Strabo, p. 468. Οι τε Γεται, οι τε Δακοι, εγγυς μεν ηκουσι του ὑπακουειν τοις Ρωμαιοις· ὑπω δ' ὑποχειριοι εισι τελεως δια τας εκ των Γερμανων ελπιδας.

ledges

ledges that the Baſtarnæ were in ſome meaſure Germans, but at the ſame time aſſerts that the Getick nations did not ſubmit entirely to the Roman yoke from their hopes of promiſed aſſiſtance from the Germans.

Could he have declared in a more explicit manner his conviction that they were diſtinct races? The Goths therefore, who are pronounced by the united voice of ancients and moderns to have been Germans in language, habit, armour and mode of life, could not be Getes. Had the Goths been Getes or Thracians, is it credible that they ſhould not have been recogniſed as relations by Beliſarius, a Thracian general, and by the vaſt body of Thracians in his army in Thrace, in Africa and in Italy, when he ruined the Gothick power? Could ſuch a fact have eſcaped the notice of his Greek ſecretary, Procopius, who enumerates the principal tribes of the Gothick race, the Goths, the Viſigoths, the Vandals and the Gepædes? Identity of language would have evinced identity of origin. What does he ſay? "There * are ſome who called theſe Goths Getick nations," Would he have uſed ſuch expreſſions, if he had not conſidered the aſſertion as a mere fable? Had the Dacians †, the Getes, the Myſians and the Triballi, who were all Thracians, been Goths, the language of Dalmatia ‡, Boſnia, Sclavonia and Bulgaria would, inſtead of being the Sclavonick, like the Bohemian, Luſatian, Poliſh and Ruſſian, have been Gothick, like the Spaniſh and Italian. The incurſions of the Scla-

* P. 178 & 372. Εισι δ' οι και Γετικα εθνη ταυτ' εκαλεν.

† Strabo, p. 453. Οι τοινυν Ελληνες τε; Γετας Θρακας; υπελαμβανον· ωκεν δ' εφ' εκατερα τη ιστρῳ και ουτοι, και ο Μυσοι Θρακες οντες και αυτοι·—αφ' ων ωρμηθησαν και οι νυν μεταξυ Λυδων και Φρυγων και Τρωων Μυσοι.

‡ Gibbon, vol. v. p. 543. Chalcondylas is his authority.

vonick

vonick Scythians could have made no more alteration in the Thracian or Gothick of these countries, if their original language had been Gothick, than in the German of Germany and in the Latin of Italy and of Spain, into which they also penetrated.

From the present state of Indostan and China it is evident that hardly any thing but extermination, as happened in England, can eradicate a written language. William the Conqueror, having not taken this step, could not, with all his despotism and tyranny, make the Saxon yield entirely to the French. Indeed, as the Sclavonian Scythick, which appears from the first part of this inquiry to have been different from the Getick, now prevails in these countries, it is probable that the Dacians and Getes and other Thracian nations were exterminated. Nor is the manner a mystery. Strabo *, copying Polybius, records that Paulus Æmilius, upon the conquest of Perseus, plundered and destroyed seventy cities of Epirus and carried away as slaves 150,000 of the inhabitants. What then must have been the devastations of other Roman generals, of Scribonius, of the two Luculluses, of Pompey and Cesar and of the Triumvirate and of Brutus and Cassius? After these terrible scourges came Boirebistes, the Dacian, who extinguished almost all the Gallick and Celtick tribes, but enabled the Dacians on the Danube to muster 200,000 fighting men, that in Strabo's time were by civil wars reduced to 40,000. This moderate number was still farther diminished by Trajan, who made the country a Roman province. Next

* Strabo, lib. vii. p. 496. Των Ηπειρωτων εβδομηκοντα πολεις Πολυβιος φησιν ανατρεψαι Παυλον τον Αιμιλιον—πεντε δε και δεκα μυριαδας εξανδραποδισασθαι.

Id. p. 465. Την Θρακην λειλατων μεχρι Μακεδονιας και της Ιλλυριδος τους Κελτους τους αναμεμιγμενους τοις τε Θραξι και τοις Ιλλυριοις εξεπορθησεν· Βοιους και αρδιαν ηφανισε.

succeeded

ſucceeded the Goths, who, after the expulſion of the Romans, were themſelves expelled by the Huns and Hungri, both equally deſtructive to the few remaining Getes.

If the Getes or Thracians were Goths, and the Goths Germans, how came Ovid, who lived among the Getes and ſpoke their language; how came the Romans in general, and in particular Julius Ceſar, who knew both, to have made a diſtinction? If the Thracians were Germans and the Gauls Germans, Ceſar* would not with the ſame breath have told us that a body of men conſiſted of Gauls and Germans; nor would Plutarch† have aſſerted that certain detachments were compoſed of Thracians and Gauls. Common ſenſe would have dictated to ſuch accurate writers to have ſtyled them all Germans levied in Thrace or Gaul, if they had been really Germans and not diſtinct nations.

If we ſhould pay any attention to the fanciful commentators of the Edda, a modern fabrication of the 13th century, and admit that Odin in the days of Pompey led his valiant Goths from the dreary banks of the Mæötis to the delightful coaſts of the Baltick, we muſt at the ſame time allow that they multiplied amazingly to have caſt a ſupernumerary ſwarm into Germany before the Chriſtian era, a ſpace of 75 years at moſt for emigration, peregrination, conqueſt, ſettlement and coloniſation. This romance, which is as wild and ridiculous as the Edda itſelf, needs no confutation; as the Goths are acknowledged to have been Germans in language and manners, and as the Bel-

* Cæſar. Bell. Civ. lib. iii. cap. 4. Gallos Germanoſque Pompeius filius adduxerat.

† Plutarch. Briani. tom. iii, p. 176. Θρακας μεν ἱππεις και Γαλατας, ὁις εἰχε Λεκυλλος, ἐκελευσεν ἐκ πλαγιου παρακρυεσθαι ταις μαχαιραις τους κοντους.

gick

gick Germans, by Cesar's account and Strabo's testimony, crossed the Rhine at such a remote period as to have become Gauls in dialect and mode of living, and the Teutoni, a radical tribe of the Germans, having, with the Cimbrick Gauls, quitted the shores of the Baltick, had, previously to the supposed time of their emigration from the Mæotis, been cut to pieces in Italy by Marius and Catulus.

This subject, which is so clear, when thus viewed in its proper light, has been industriously obscured by a cloud of quotations from the Byzantine historians and other writers equally inaccurate and uninformed. Having already removed, I presume, the mist spread before the publick eye from this quarter, I shall not tire the reader with its further discussion; but, after having thus proved the identity of the Getes and Goths to be not only very improbable but even impossible, proceed to inquire into the origin of the Picts and Scots, the only problem still remaining to be solved.

The Scots proved to have been Celts.

From Cesar * and Strabo † and other authors we learn that, though the Belgians varied a little from the Celts in their dialect, they still spoke the same language, the Gallick; and Tacitus's ‡ words

* Cæsar. lib. i. cap. 1. Belgæ, Acquitani & Celtæ differunt inter se lingua, institutis et moribus.

† Strabo, lib. iv, in initio. Οἱ μεν δη τριχη διηρεν Ακυϊτανους και Βελγας καλουντες και Κελτας· τους μεν Ακυϊτανους τελεως εξηλλαγμενους ὑ τη γλωττη μονον αλλα και τοις σωμασιν, εμφερεις Ιβηρσιν μαλλον ἡ Γαλαταις· τους δε λοιπους Γαλατικην μεν την ὀψιν, ὁμογλωττους δ' ὑ παντας, αλλ' ενιους μικρον παραλλαττοντας ταις γλωτταις· και πολιτεια δε και βιοι μικρον εξηλλαγμενοι εισι.

‡ Tacit. Germ. cap. 43. Gothinos Gallica lingua coarguit non esse Germanos.

aſcertain that the Gallick was different from the German. From this circumſtance therefore it is evident that, though we ſhould allow the Belgians to be Germans that croſſed the Rhine in ancient times, the indigenous Gauls were neither expelled nor exterminated, but ſtill conſtituted the maſs of the people; as their language ultimately prevailed.

Upon the ſame principle we may conclude that, if the Britiſh Caledonians were, as Tacitus* ſuſpected from their large limbs and ruddy locks, Germans, they were Belgick Germans, or a ſmall tribe that adopted the Britiſh language and manners, which from Ceſar† and Tacitus we know to have been Gallick.

As the ſame‡ and other§ authors inform us that all the Britons, at the arrival of the Romans, painted their bodies, thoſe who remained independent beyond the limits of the Roman province, would retain this practice, as a proud mark of diſtinction. Hence we find the Caledonians‖,

* Tacit. Agric. cap. 11. Rutilæ Caledoniam habitantium comæ, et magni artus, Germanicam originem aſſeverant.

† Cæſar. lib. v. cap. 14. *Cantii* non differunt multum a Gallica conſuetudine.—Comius the Atrebatian was ſent by Ceſar as a ſpy to Britain, as he could ſpeak the Gallick or Britiſh. Tacit. Agric. cap. 11. In univerſum æſtimanti Gallos vicinum occupâſſe ſolum credibile eſt. Eorum ſacra deprehendas religionum perſuaſione; ſermo haud multum diverſus.

‡ Cæſar. lib. v. cap. 14. Omnes vero Britanni ſe vitro inficiunt, quod cœruleum efficit colorem.

§ Mela. lib. iii. cap. 6. Incertum ob decorem an quid aliud vitro corpora inficiunt.

Herodian in the beginning of the 3d century ſays: Τα δε σωματα (Βρεττανοι) στιζονται γραφαις τε ποικιλαις και ζωων παντοδαπων εικοσι.

‖ Eumenius in Panegyrico. Non dico Caledonum aliorumque Pictorum ſilvas paludeſque.

Amm. Marcellinus, lib. xvii. Sufficiet dici quod eo tempore Picti in duas gentes diviſi, Dicaledonas & Vecturiones, multa populabantur.

wherever

wherever there is mention of them, ranked among the Picts. The Picts therefore including the Caledonians existed in Britain before the Christian era, and could not derive their name from the Peucæ or Peucini, who, as we learn from Zosimus *, fought among their countrymen, the Goths, in the year 250 against Decius at the mouths of the Danube.

The first respectable author, that mentions the Scots, is Porphyry † the philosopher, who remarks that in the year 270 the "British and Scotch nations had not heard of Moses and the prophets." But not long before this period we are informed by Tacitus that all the British nations spoke Gallick; and therefore, if the Scots here noticed were British or Irish, their language renders it impossible that they should have been fresh adventurers from Germany or Scandinavia. For it is clear from much better authority than any monkish documents of obscure and modern date that Ireland was peopled from Britain, and consequently that the people spoke Gallick, as they do at this day. Without appealing to the testimony of the Greeks and to the natural course of emigration for the truth of this fact, we have the sanction of Ossian, the Caledonian Homer, for asserting that the Belgians had settled

* Zosimus, p. 38. Σκυθων δε οι περιλειφθεντες Ερυλας και Πευκας και Γοτθους παραλαβοντες—εκρεσθησαν.

Claudian. De tertio consulatu Honorii. ver. 54.

—— Nec falso nomine Pictos
Edomuit.

† Sanct. Hieronymus, tom. iii. fol. p. 117, thus translates Porphyry's words. Neque enim Britannia, provincia fertilis tyrannorum, & Scotticæ gentes omnesque usque ad oceanum per circuitum barbaræ gentes Moysen prophetasque cognoverant.

L. Diodorus Siculus, sub finem lib. v. Φασι τινας ανθρωπους μυθικους, ωσπερ και των Βρεττανων τους κατοικουντας την ονομαζομενην Ιρην,

for ages before the third century in the ſouth of Ireland. If they had not, how was it poſſible for them to have multiplied ſo as to have contended in the north for the ſovereignty of Ullin, or Ulſter, with the Gael, under the command of Conar, great grand-uncle of Oſſian. Theſe facts are detailed at length in the ſecond and ſeventh books of Temora, and are not the leſs hiſtorical for appearing in a poetical form, like the firſt annals and laws of all nations. The nocturnal rencounter between Oſſian and the chief of the Belgians proves that the religion, language and manners of the Caledonians and their opponents did not eſſentially differ *. In archeological queſtions the Greeks conſtantly appealed to their Homer, as the moſt ancient and authentic writer, though his rhapſodies imperfectly imported by Lycurgus were firſt collected and arranged in their preſent form by Piſiſtratus four hundred years at leaſt after the death of their author. Why ſhould not we follow their example, when our venerable as well as heroick bard furniſhes whole epiſodes concerning the firſt population of the ſouthern part of Ireland by the Belgians and of the northern by the Caledonians, who were ſo denominated from their principal town, Duncaldin †, which in their language ſtill retains that appropriate appellation.

* The age, in which Homer lived, has never been inconteſtably aſcertained. From the minuteneſs, with which he deſcribes events, is it not probable that he lived in or near the time of the Trojan war, and like Oſſian left behind him the hiſtory of it in verſe? If this conjecture be juſt, his works remained floating in the mouths of men above 600 years, till Piſiſtratus collected the different rhapſodies, as Macpherſon did thoſe of the Celtick bard.

† Duncaldin means the "town of hazel," oppidum corylorum, as Buchanan remarks.

Though

Though I can have no doubt that the poems of Offian might have been preſerved by oral recitation and thus tranſmitted from generation to generation; as I have myſelf heard a man, who was no profeſſional bard, rehearſe the ſeventh book of Temora, and others of inferiour rank repeat the deſcriptions of battles in Fingal and the beautiful exordium of Trathal publiſhed by Dr. Smith, yet I do not mean here to inſiſt on that evidence of their authenticity, ſince it has been already ſufficiently diſcuſſed by Dr. Blair, Dr. Macnicol and Dr. Smith. I chooſe rather to confirm their opinions by the removal of a vulgar error, which denies to the Gallick nations all literary records. How ſuch an abſurd notion could have prevailed, when it is ſo expreſsly contradicted by the words of Ceſar, it is not eaſy to conceive, were not indolence and inattention and prejudice common to authors with the reſt of mankind. What are his expreſſions? "Some* perſons continue learning the doctrine (of the Druids) for twenty years, and think it irreligious to commit it to writing, though in almoſt every other public buſineſs, and in their private accounts, they uſe the Greek characters." Though the Druids, like ſome other prieſts, would for no very myſterious reaſon make a myſtery of their religion, yet, as they could have no motive, they did not endeavour, to prevent written documents on other ſubjects. Accordingly we find that the Helvetians kept in Greek letters a regular muſter-

* Cæſar. De Bello Gallico, lib. vi. cap. 13. Nonnulli annos vicenos in diſciplina permanent, neque fas eſſe exiſtimant ea (pro *ea* lege *eam* meo periculo) literis mandare; quum in reliquis fere rebus publicis privatiſque rationibus Græcis literis utantur.

Strabo, lib. iv. p. 273. Μασσαλια φιλελληνας τυς Γαλατας κατισκευασε, ὡστι και τα συμβολαια Ἑλληνιστι γραφειν.

roll

roll * of all the men, women and children, of whom their three cantons consisted. Now the ancient Greek characters, which, as we learn from Pliny † and Tacitus ‡, the Latins only copied, were the same as the Phenician §, or, if you will, the Pelasgick or Egyptian. What reason then is there to imagine that the Phenicians, that traded to Britain as well as to Greece and Spain and Italy, did not communicate the use of letters to the Britons, who, as they must, like the rest of the Gauls, have made a study of astronomy and other branches of natural philosophy, cannot be supposed exclusively to have neglected letters?

For who can believe that nations ‖ who inculcated

* Cæsar. Bell. Gall. lib. i. cap. 21. In castris Helvetiorum tabulæ repertæ sunt literis Græcis confectæ et ad Cæsarem perlatæ; quibus in tabulis nominatim ratio confecta erat, qui numerus domo exîsset eorum qui arma ferre possent et item separatim pueri, senes mulieresque.

† Plinii Hist. lib. vii. cap. 58. Veteres Græcas (literas) fuisse easdem pæne, quæ nunc sunt Latinæ, indicio erit Delphica tabula antiqui æris.—Vide eundem, cap. 57. In Latium eas (literas) attulerunt Pelasgi.

‡ Tacit. Annales, lib. xi. cap. 14. Formæ literis Latinis quæ veterrimis Græcorum.

§ Herodot. Οἱ δὲ Φοινικιες οὗτοι οἱ συν Καδμῳ ἀπικομενοι—αλλα τε πολλα—ισηγαγον διδασκαλια ες τὰς Ἑλληνας, και γραμματα ουκ εοντα πρὶν Ἕλλησι.

Diodorus Siculus, lib. iii. Ὁμοιως δὲ τουτοις φασι χρησασθαι τοις Πελασγικοις γραμμασι τον Ορφια και Πρωναπιδην τον Ὁμηρου διδασκαλον.

Plinii Hist. lib. viii. cap. 58. Literas semper arbitror Assyrias fuisse; sed alii apud Ægyptios a Mercurio, ut Gellius; alii apud Syros repertas volunt. Utique in Græciam intulisse è Phœnice Cadmum sedecim numero.

Tacit. Annal. lib. xi. cap. 14. Inde (ex Ægypto) Phœnicas, quia mari præpollebant, intulisse (literas) Græciæ, gloriamque adeptos, tanquam repererint, quæ acceperant.

‖ Cæsar de Bello Gallico, lib. vi. cap. 13. In primis hoc volunt persuadere, non interire animas, sed ab aliis post mortem

cated the immortality and tranſmigration of ſouls and the contempt of death, as the neceſſary conſequence; who made the ſtars and their motions, the extent of the univerſe, the magnitude of the earth, the nature of things and the power and energy of the deity the ſubjects of ſcholaſtic diſcipline, ſhould have been ſo dull of apprehenſion as not to have either themſelves made, or readily adopted when made, ſo uſeful a diſcovery? Such ſtupidity does not tally with the acuteneſs of men, who, notwithſtanding Diodorus's * fabulous account of the matter, ſeem to have invented teleſcopes, and perhaps to have communicated the ſecret to Pythagoras †, as they could bring the moon ſo near as to exhibit in its face excreſcences like ſpots on the earth.

From the ſuperiour fairneſs of complexion obſervable in the Braminical caſt of Indoos and from their own hiſtorical traditions we may infer † that the Shanſcrit, the ſacred and moſt ancient language of India, came from Scythia or Tartary, a country that no man can ſuppoſe to be now more learned than the Highlands of Scotland. Yet the aſtrono-

mortem tranſire ad alios; atque hoc maxime ad virtutem excitari putant, metu mortis neglecto. Multa præterea de ſideribus atque eorum motu, de mundi ac terrarum magnitudine, de rerum natura, de deorum immortalium vi ac poteſtate diſputant & juventuti tradunt.

Diogenes Laërtius in Proœmio. Της φιλοσοφιας εργον ενιοι φασιν απο των βαρβαρων αρξαι—παρα τε Κελτοις και Γαλαταις τους καλουμενους Δρυιδας και Σεμνοθεους, καθα φησιν Αριστοτελης εν τω Μαγικω και Σωτιων εν τω εικοστω της Διαδοχης.

* Diod. Siculus, in lib. ii. p. 130. Hanoviæ Rhodom. fol. Φασι δε και την σεληνην εκ ταυτης νησου φαινεσθαι παντελως ολιγον απεχουσαν της γης, και τινας εξοχας εχουσαν φανερως.

Suidas in initio vocis Pythagoras. Πυθαγορας Σαμιος ηκουσε Φερεκυδους ειτα Αβαριδος του Υπερβορεου.

† See The Reign of George III. vol. iv. p. 114 &c.

mical

mical * tables found in different parts of that peninsula and introduced in all likelihood by the conquering Bramins prove that it was distinguished for mathematical science five thousand years ago, and possessed of its Napiers, Maclaurins and Stewarts, before the Phenicians † acquired the knowledge of letters. The Indian or Shanscrit characters ‡, which consist of 16 vowels and 34 consonants and are similar to the Tangutick, differ totally from the letters of Europe and the Western Asia. The Chinese resemble no other characters and the Ethiopick § stand in the same predicament ‖. "There are," says Astle, "several alphabets used in different parts of Asia, which are entirely different not only from the Shanscrit and all those proceeding from that source, but even from the Phenician and all its derivatives. Towards the close therefore of the paragraph he adds that, "hence it is reasonable to conclude that different men in different regions hit upon this discovery."

Why then should not the Celts ¶, who were deemed acute and ingenious ** and cultivated so many sublime sciences, have been able to invent alphabetick writing? The truth is that Plato †† renders the matter extremely probable, as he some-

* See Playfair's Dissertation on the Astronomy of the Indoos, in the Transactions of the Royal Society of Edinburgh, p. 169.

† Dionysius of Halicarnassus says, that the Pelasgians, whom Astle from the form of their letters affirms to have been Phenicians, brought the invention into Italy only 1750 years before the Christian era.

‡ Mr. Astle's Origin of Writing, p. 48.

§ Ibid. p. 90.

‖ Ibid. p. 49.

¶ Diodorus Siculus, lib. v.

** Cæsar. lib. v. Bell. Gall.

†† See Astle, p. 46.

where

where tells us that the Hyperborean had no affinity to the Greek characters, and it appears from Diodorus Siculus *, Suidas and other authors already quoted, that by Hyperboreans the ancient Greeks meant the Britons, and not the inhabitants of the north-weſt of Aſia and north-eaſt of Europe, whom they deſignated by the appellation of Scythians and Celto-Scythians. Certain viſionaries † have written enormous volumes to convince us that many ages muſt have elapſed, before men invented even language, though converſation by articulate ſounds is as natural to man (the ‡ μεροψ ανθρωπος) as bleating is to a ſheep. In imitation of theſe profound ſages others contend that the diſcovery of letters, a ſtill greater myſtery, was infinitely ſlower in its progreſs. Why then ſhould we be ſurpriſed at their idea that the rational biped went for many ages upon all four? The real fact is that few diſcoveries can be juſtly deemed modern, and that the Europeans having, after a relapſe into barbariſm, lately emerged again from a night of ignorance, miſtake § for novel inventions arts known from time immemorial, though occaſionally loſt in different countries through the irruptions of deſolating Goths and Vandals.

When the Romans introduced, as Pliny ‖ ſays, the uſe of the Ionick characters in the reign of Tarquinius Priſcus, they hardly acknowledged as Greek the Hetruſcan characters, which ſome are pleaſed to call Pelaſgick. Does not this circum-

* Diodorus Siculus, lib. v.
† See Monboddo's Origin of Language.
‡ Homer. Il. A. v. 250.
§ See Dutens, Origine des Découvertes attribuées aux Modernes.
‖ Lib. vii. cap. 57.

ſtance powerfully ſupport the conjecture, that the Romans borrowed their firſt characters from the Umbrians and other Gauls, whom, as Pliny * and other antiquaries aſſert, they found on the banks of the Tiber? If this reaſoning be juſt, we need not wonder that the ancient letters engraved on ſtones in the Britiſh iſles reſemble the Roman, ſince the Roman were only copies from the Celtick or Britiſh. The Celts, whoſe territories ſeem to have extended over the greateſt part of Europe, were too great a nation and too far advanced in civiliſation † to have been deſtitute of letters, which Jackſon ‡ traces up to the 150th year after the flood. From the manuſcripts in Aſtle's § poſſeſſion it is proved that the Celts of North Briton wrote their language in a beautiful and appropriate character about a thouſand years ago. Why then might they not, like other nations, have in ſucceſſion written it in a ſimilar manner for any number of centuries ‖? A gentleman near Bunaw in Argyleſhire has a manuſcript thought for good reaſons to be 400 years older than Aſtle's. The diſcovery of unknown characters in Tartary during the reign of Peter the Great demonſtrates that the art of writing may, like others, be loſt, and that the rude and illiterate ſtate of a country at the preſent moment is no certain proof that it was not poſſeſſed of learning and refinement in a remote period.

That the Gauls of Britain did not borrow their letters from the Latins is clear, becauſe the

* Lib. iii. cap. 4, & 5. Umbrorum gens antiquiſſima Italiæ exiſtimatur.

† Lib. i. already quoted.

‡ Aſtle, p. 46.

§ Idem, p. 123.

‖ Dr. Macnicol's Remarks, p. 302.

Gallick,

Gallick *, like the Phenician characters, are properly but ſixteen, the number introduced into Greece by Cadmus, and becauſe the Britons had no connection with the Romans till the time of Julius Ceſar, when the Latin alphabet was completed. Indeed, as the Romans, or the colony of Æolians † that founded Rome, did not adopt the Greek but Celtick ‡ names expreſſive of alphabetic writing, it is probable that the art was not communicated to them by Greeks, but by the Celts who then ſurrounded their city, and who had previouſly either invented it themſelves or received it from the Phenicians.

For a ſimilar reaſon the Celtic letters of Britain did not come through Marſeilles, becauſe in that caſe their characters would have aſſumed a different form and been as numerous as the Greek; and it does not appear either from Ceſar's or from Strabo's words before quoted that the Gauls in the neighbourhood even of Marſeilles did not uſe another character beſide the Greek.

The Druidical religion with its train of prieſts and human ſacrifices is thought by many to have been Syriack or Phenician. If this conjecture be juſtly founded, as ſome cuſtoms ſtill prevalent in the Highlands of Scotland ſeem to evince, it is

* The Gallick and Iriſh characters are the ſame, the people being the ſame and ſpeaking the ſame language, with this difference, that the Iriſh dialect has in conſequence of conqueſt been corrupted in proportion to the corruption of manners in Ireland.

† Quintilian. lib. i. cap. 6.—Æolica ratio, cui ſermo noſter (Latinus) eſt ſimillimus.

‡ A letter among the Romans was not the Greek word *gramma*, but *litera*, from the Celtic *lītir*. To write was not *grapho*, but *ſcribo*, from the Celtic *ſcrībh*; &c. A book was not the Greek *biblos*, but *liber*, from the Gallick or Celtick *lebher*, &c.

reaſonable to conclude that, ſince the continental * Gauls conſidered Britain as the cradle of their religion and the univerſity for the initiation as well as education of their youth, letters commenced there with its introduction; ſince they would have appeared as marvellous to the natives as the ſpeaking paper ſeemed to the Mexicans. Now the Greek alphabet was completed about the time of the Trojan war, or 1200 years before the Chriſtian era, and the Gallick alphabet contains only the number imported by Cadmus. Hence the Gallick characters, if not of native but foreign invention, muſt have been imported before that period by the Phenicians, whoſe commerce with Britain was certainly of a much earlier date; as we find the tin † of the Caſſiterides in the ſhield of Agamemnon and in the armour of Achilles, the hero of the Iliad; and we learn from Herodotus ‡ that in his days the iſlands, from which the Phenicians brought it, were ſtill unknown to the Greeks.

If the Gallick or Iriſh characters thus flowed from the ſame ſource with the Greek and Latin, why ſhould we be ſurpriſed at the reſemblance between them, or between the Iriſh and Saxon letters, ſince the latter § were derived from the former? For

* Cæſar, De Bell. Gall. lib. vi. cap. 13. Diſciplina in Britannia reperta atque inde in Galliam tranſlata eſſe exiſtimatur; et nunc qui diligentius eam rem cognoſcere volunt, plerumque illò diſcendi cauſa proficiſcuntur.

† Hom. Il. Λ. v. 25. Δωδεκα δε χρυσοιο και εικοσι κασσιτεροιο.
Σ. v. 612. Τευξε δε ο. κνημιδας εανε κασσιτεροιο.

‡ Θαλεια, c. 125. Ουτε νησους οιδα Κασσιτερίδας εουσας, εκ των ὁ κασσιτερος ἡμιν φοιτα.

§ Extract from Lhwyd's Letter from Oxford, Nov. 1701, in Mona Antiqua: "I met in the library at Cambridge a manuſcript on a thick parchment in that character we call Iriſh, but was indeed anciently the Britiſh, whence they and the Saxons received it."

Sir

For Tacitus records that in his days, about the year 108, the ſecret * of letters was unknown to males as well as females among the Germans; and, when they did adopt this improvement, their antipathy to the Romans would prevent them from adopting the form of their letters rather than that of the Gallick or Britiſh, which, it ſhould ſeem from the oldeſt ſpecimens of the Saxon now remaining, had now become, as might naturally be expected in a Roman province, partly Roman. Since alphabetick writing then, and cultivated † life, were common among the Celtick tribes for ages before they commenced among the Germans, what reaſon is there for ſuppoſing that the Caledonians and the colonies of them that croſſed the ſeas into Ireland, did not retain the practice? We have been told of Herculanean manuſcripts that have ſurvived an eruption of Veſuvius eighteen centuries ago. Why ſhould Italian parchment or vellum be leſs corruptible than Celtick? A paſſage already quoted from Diodorus Siculus proves that alphabetick writing was only in its infancy among the Greeks in the days of Homer. How then but in the Celtick manner was that poetical taſte formed that ſerved as a baſis for the poetry

Sir James Ware, the Camden of his age and nation, ſays that the Iriſh alphabet was borrowed from the Britiſh, and that the Saxon characters were nearly the ſame as the Iriſh; and Camden inclines to the ſame opinion.

* Tacit. De Moribus Germ. cap. i. Literarum ſecreta viri pariter et feminæ ignorant.

† Cæſar, De Bell. Gall. lib. i. cap. 23. Neque enim conferendum eſſe Gallorum cum Germanorum agro, neque hanc conſuetudinem victus cum illa comparandam.

of

of Homer? Many other poets of no mean talents muſt have preceded him beſide Muſæus. How were his or their pieces ſaved from the gulph of oblivion but by recitation? Are we not expreſsly told that his rhapſodies were actually rehearſed like the fragments of Oſſian, and collected at laſt by Piſiſtratus, as Oſſian's by Macpherſon? The obvious concluſion is, that Oſſian's remaining works are genuine hiſtorical as well as poetical compoſitions, which prove that, if ſome of the Scots came, as is generally allowed, from Ireland, they were *ſtill* a Gallick race, and probably Celts expelled *by* their more powerful neighbours the Belgians, and the deſcendants of the Celts mentioned by Oſſian as the inhabitants of Ulſter, who, in conjunction with their Caledonian relations, ſubdued the Picts and other ſouthern tribes of Scotland. Nor will ſuch an event be thought ſurpriſing, much leſs incredible, by thoſe who know that a few of the ſame race, firſt under the renowned Duke of Montroſe, next under his heroick deſcendant, the Viſcount Dundee, achieved a ſimilar exploit; and that, as late as the year 1745, the misled inhabitants of a few pariſhes of theſe gallant mountaineers, overran all Scotland and ſhook even England to its centre, obliging its people, who had, through the diſuſe of arms, then forgot their uſual military habits, to have recourſe, like the ancient Britons, to foreign auxiliaries.

Had the Scots been Peucæ or Peucini, who were Goths, how could Porphyry aſſert that the Scottiſh nations had not heard of Moſes and of the prophets, when Procopius tells us that all the Goths not only uſed the ſame language and law, but alſo profeſſed the dogmas of the Arian hereſy? Had the Scots been Goths, how could Giraldus Cambrenſis,

Cambrenſis *, who traverſed the whole of Ireland in the eleventh century, declare that "the Iriſh and the Scots ſpoke the ſame language, wore ſimilar garments and arms, and practiſed ſimilar habits and cuſtoms?" Their language, their armour and mode of life would have been Teutonick; and, if they had not been Gauls, two thirds of their vocables would not have been, as the archeologiſt Lhwyd † affirms, Welch. Nor would John Major ‡ have ſaid that "the deſcent of the Scotch from the Iriſh is plain, one half ſpeaking Gallick in his time, and more in preceding periods."

Nor would even the modern dialect of the Scotch Lowlanders be old Engliſh, as we find it, but the Norſe or ſome other branch of the Teutonick; its cloſe affinity to the Engliſh ſpoken ſince the Norman conqueſt indiſputably proves it to be of late date and to have been introduced into Scotland ſince that event. Nor is the mode of its introduction in the leaſt inexplicable. Though the

* Topog. Hiberniæ, p. 737. Quoniam igitur Hibernienſes ab iſtis, ut aiunt, originalem lineam ducunt, a Gaidelo et Scotia Gaideli et Scoti ſunt, ſicut et nati, ſic et nominati. Gaidelus iſte, ut aſſerunt, Hibernicam linguam compoſuit, quæ et Gaidelach dicitur quaſi ex omnibus linguis collecta. Scotia quoque pars inſulæ Brytannicæ Aquilonaris, quia gens originaliter ab iis propagata tertia illam habitare dignoſcitur; quod tam linguæ quam cultus, tam armorum etiam quam morum (ratio) uſque in hodiernum probat diem.

† Extract from Lhwyd's Letter to Rowland, in his Mona Antiqua, dated, Sligo, March 12, 1699. "I have tranſlated Mr. Ray's Dictionarium Trilingue into their (Iriſh) language, which in two-thirds, or thereabouts, agrees with ours (the Welch)."

‡ Extract from Stillingfleet's Origines, p. 252. "John Major confeſſes that the Scots were derived from the Iriſh, which is plain by their language; as in his time half the nation ſpoke Iriſh, and before that time more."

uſurpation,

uſurpation, the violence and cruelty of the conqueror forced many fugitives into Scotland; their numbers had made no ſenſible alteration in the ancient language. For we are informed by Sir David Dalrymple * in his Annals, that Malcolm the Third, called Kenmor or Greathead, performed the office of interpreter between his Saxon conſort and the Scottiſh eccleſiaſticks, whoſe vernacular tongue was then Gallick; and it is evident even to ſimplicity that, if the clergy could not, the laity could, much leſs, ſpeak the language of England. This fact is confirmed by Buchanan †, who ſays that "all Scotland then uſed its ancient language and inſtitutions." Now, as this incontrovertible event occurred only 220 years after the extinction of the Picts as a ſeparate people, how could the whole nation have ſpoken Gallick, had the Scots, the ruling nation, or even the ſubdued Picts, been Goths and conſequently uſed a dialect of the Teutonick? Indeed a man muſt be totally unacquainted with the Celtick, if he does not diſcover in the names of the mountains, rivers and towns of the diſtricts occupied by the Picts ſufficient veſtiges of their Celtick language. Pelloutier could ſee nothing but what was Celtick, and Pinkerton, as a counterbalance, finds nothing but what is Gothick. I believe that the truth lies between the two, and therefore ſteer a middle courſe, remarking, how-

* Sir David Dalrymple's Annals, vol. i. p. 35. Sir David, copying Turgot, the Queen's confeſſor, ſays: "For the reformation of certain erroneous practices, which prevailed in the Scottiſh church, Margaret held frequent conferences with the Scottiſh clergy. The king underſtood the Gaelick language as well as the Saxon. He willingly performed the office of interpreter between his conſort and the Scottiſh eccleſiaſticks."

† Buchanani Hiſtoria, folio, p. 115. Cum tota tum Scotia priſco ſermone et inſtitutis uteretur.

ever,

ever, as a corroboration of my laſt argument that, beſide the concurring teſtimonies of all hiſtorians, there is an irrefragable evidence that the Picts were actually conquered by the Scots. In Newte's Tour in Scotland are theſe words: "A ſilver medal, value half-a-crown, was given by a gentleman in Argyleſhire to Mr. George Dempſter, and loſt by him at Pool-Ewe in Roſsſhire, with this inſcription, "Robertus Dei gratia Rex Scotorum Princeps Pictorum." This fact is authenticated by Mr. Dempſter and Dr. Thorkelin, Profeſſor of Hiſtory and Civil Law in the Univerſity of Copenhagen. Does not this anecdote demonſtrate that the conqueſt of the Picts was ſtill freſh in the minds of the Scots at the diſtance of 500 years from the date of the event, and commemorated by them as the reduction of Wales was by the Engliſh? Who ſet the example is uncertain; though, as the turn of expreſſion is a little different, priority of time would ſeem to juſtify a claim to priority of invention, and Bruce, at ſuch a diſtance of time from the event, was not probably the firſt Scottiſh king who aſſumed the title. If a fact related by all the Scottiſh hiſtorians requires any corroboration, it is found in the Regiſter * of St. Andrew's and in the Chronicle † of the Picts, both of which admit the extinction of the Pictiſh kingdom by the Scots and aſſign irreligion and immorality as the cauſes. That a tribe of northern freebooters, probably Cimbrick

* Regiſt. Sancti Andreæ. Deleto igitur funditus Pictorum regno et a Scotis occupato &c.

† Chronicon Pictorum. Cinadius filius Alpini primus Scottorum rexit—Pictaviam, a Pictis nominatam quos Cinadius delevit. Deus enim eos pro merito ſuæ malitiæ alienos et otioſos hæreditate dignatus eſt facere, quia illi non ſolum deum, ſed miſſam et præcepta ſpreverunt, ſed et in jure æquitatis aliis æqui pariter noluerunt.

Gauls, ſettled on the eaſtern coaſt of Scotland, cán hardly be doubted, as ſo many Daniſh invaſions are mentioned by the Scottiſh hiſtorians. But, though by their military habits they preſerved for ſome time the ſovereign ſway in a conſiderable diſtrict, they were not ſufficiently numerous to effect a radical change in the original language and manners of the country. In the days of Bede perhaps ſufficient time had not elapſed for aſſimilating the languages of the Picts and the aborigines; and he might therefore juſtly glory in thinking that the praiſes of God were celebrated through Britain in five different idioms; though the various diſtricts of the Saxon heptarchy might poſſibly differ as much in their dialects as the three diviſions of Scotland under the Britons, Scots and Picts. Some modern viſionaries, building on Bede's ſandy foundation and truſting to Hibernian fictions and ridiculous monaſtic fabrications, repair to Ireland as a ſtorehouſe of nations in order to people Scotland with Picts and Scots, whom they will have to be Goths.

To mend the matter, they pitch upon Argyleſhire as the ſeat of theſe Scots or Goths, the ſpot where the Celtick or Gallick always was and is now ſpoken in its greateſt purity. Would not the reverſe have been the caſe, had the Scots been of Teutonick origin? The Highlands would ſtill be noted for the groſſeſt Gothick, and, inſtead of preſerving poems careſſed by the conqueror of Italy as the Iliad was by Alexander, would have only exhibited ſuch rhymes as Pinkerton has publiſhed. Theſe fabuliſts alſo make that very part of Ireland, which in the days of Fingal *

* The whole ſtory of the two epick poems called Fingal and Temora is founded on the aſſiſtance given to the Gael of Ireland by the Caledonians.

could

could not withſtand a foreign invaſion without Caledonian auxiliaries, ſoon after his death ſo very populous as to caſt a ſwarm of conquerors into the country from which its inhabitants ſprung; and theſe too quitted fertile regions to ſeize upon barren mountains. The fact certainly is that, if any Hibernians joined the aboriginal mountaineers, they could only be few in number, as * in Oſſian's time; and the united tribes were from the Sgoths or boats, in which they appeared on the coaſts and lakes, called by the Picts and other nations Sgots or Scots, a name, however, ſtill unknown and diſavowed among them. This etymology of the name is the more probable that we find in Oſſian's poems the Fingalians poſſeſſed of boats called Sgoths † with which they braved the fury of their ſtormy ſeas, and that it is agreeable to Claudian's deſcription of the icy Ierne and to his piles of ſlain Scots.

None but this ſyſtem, which is conformable to the hiſtorical epiſodes in Oſſian's Temora, can account for the univerſal prevalence of the Celtick

* Smith's Sean Dâna, p. 228.

Chruinnich a chnidac mu Fhîn.	His hoſt gathered round Fin.
Ba chóigrich clán Inſefâil;	Strangers were the ſons of Inisfail;
Sheas iad, gach fear 'sa ſhléa 'na dhorn,	They ſtood each with his ſpear in his graſp,
'Sa ſhuil fo chôrſaid eir Fînghael,	And his eye under his helmet on Fingal,
Amhuil ſoluis fo rêla dorcha,	Like a light under dark clouds,
Tra bhis choil eir chrith 'ſna ſpêir ri borbhan.	While the wood is in a tremor and the ſky murmurs.

† Ibid. p. 62.

Greaſam ſan ſgoth ſo na dhâil.	Let me haſten in this boat to meet him.
Tha ſgoth na mnâ aig imeachd.	The boat of the matron is in motion.

in Scotland down to the days of Malcolm Kenmor, a fact which is eſtabliſhed on too firm a baſis to be ſhaken. "Conar*," ſays Oſſian, "was brother to Trathal, Head of the men whoſe buſineſs was ſlaughter. The blood of his foes was on a thouſand ſtreams, and with his fame were filled the valleys of Erin, As with the placid breeze of the wind, while it is gentle. The mighty tribes of Ullin aſſembled; They ſent a preſſing meſſage to the king of ſwords, To the king of the valiant race of the mountains, The ſeed of Selma renowned for mighty heroes."

† "From the ſouth aroſe the princes of Erin In the compact darkneſs of their ſtrong rage. In the black cavern of Moma cloſe to each other Amid whiſpers ſmothering their words Oft they ſaid round the hill, whence were ſeen the bare ghoſts of their men Showing their dark-red bending forms From grey broken rocks on the plain, Recalling the memory of the fame of the Belgæ,

* Temora, b. 2.

"Ba bhrâer Conar de Thrathal,
Cean nam fêr dha 'n dân am bâs.
Fuil a naide mu mhile frú,
Le chliu lîna glin nah Erin,
Mar fhaital béſach na gaoi 'ſi fan.
Chruinnich cínacha môr Ullin,
Chuir iad cuirre gu Ri nan lán,
Gu Ri o ſhins'ra garbh a mhonni,
Sîl Shelma nan cúrui nach fan."

† "Dherich o dhêa triai nah Erin,
An dûra dûinte 'n ardain threin.
An dú chos Mhoma dlu ri chéle
Mêaſc ſannais mhûich am focla fein
'S minig hu'rt iadſa ma'n tom,
O'm faicte tannais lom am fêr
Fêchuin an crûi dùdherg cròm
O charra briſte glas 'ſan lêr,
Cuirra cûin' eir cliu nam Bolg,
Cuim' an Erin bhïa Conar na Ri,
Sîl coigrich nan ſri o'Mhórbhêin?"

Why

Why in Erin ſhould Conar be king, The ſeed of the battling ſtrangers from Morven?"

In * the ſeventh book of the ſame poem are theſe words. "Nor in the mountain are the ſteps of Lerthon, Head of the iſle of green boughs. He is erecting a black oak on the wave In the bay of Clua of the many billows, The black oak which he cut from Lumon To travel on the face of the ocean. Maids turned their mild eyes from the king, leſt he ſhould fall low: For never by them had been ſeen a ſhip Dark-riding the great ocean. Now the king invoked the wind Amid the vapour of the grey ſea. Green roſe Inisfail, Straight fell the night of ſhowers; Fear ſuddenly ſtruck the ſons of Bolga. Clouds cleared from Tonthena on the billows. In the bay of Culbin ſettled the ſhip, Where wood anſwered wave. Boiling and boiſterous there was the ſtream from the cavernous rock of Dathuma, In which gleamed the ſpirits of the dead With their own changeable forms. There came to Lerthon of the ſhips a dream, Seven images of races not alive; Their voice was heard broken and heavy; There was ſeen their ſeed in a miſt; There was ſeen the ſeed of Atha of the heroes With their ſons, the leaders of the Belgæ. They poured their own hoſts as miſts deſcending from the mountain, when it travels grey under a blaſt Over Atha of the numerous groves. Lerthon raiſed the hall of Samla

* The original, which is here cloſely and literally tranſlated, has been publiſhed in the ſecond volume of Oſſian's Poems, and needs not therefore be here inſerted, like that of the preceding quotation. From the words Clutha and Lumon it ſeems that the emigration took place from the Clyde, and that the oak came from Ben Lomon, at the foot of which, about Macfarian's houſe, lately ſtood many a venerable oak older by centuries than Dr. Johnſon, when he viſited Scotland.

To

To the ſoft ſtrain of the harp of ſtrings. The roe of Erin bent from his ſteps At the grey fords of the ſtreams."

In order to invalidate this reaſoning what is the artifice of the Goths? The Celts, if the Goths may be truſted, have no written annals, no authentick chronicles, nor even manuſcripts prior to the ninth century; and the Poems of Oſſian deſerve no credit, becauſe they are merely oral traditions like Garcilaſſo's Hiſtory of Peru. What then are the unobjectionable documents of the Goths? The Annals of Ulſter, an Iriſh Duan or Cento, the Pſalter of Caſhel, and, above all, the invaluable Chronicle of the Picts. What do theſe precious monuments, of which the Pſalter of Caſhel, the parent and foundation of the reſt, is the oldeſt and yet not older than the latter end of the tenth century, contain? The Ultonian Regiſter informs us of ſuch important facts as theſe, "that in a certain year a king of Kintyre, a king of Aldcluai, a king of the Cruinii, a king of Dalriada, a king of the Picts, a king of the Britons, a king of Fortren and Molcron king of Lochlin died; that in a different year there was a battle between the White and Black Gentiles, for it ſeems that Blacks once invaded the Britiſh coaſts; that the king of the Black Gentiles was killed by Marai Mac Mermin; that in 1034 Suivne Mac Hugh, king of the Engliſh Iriſh, died; that in 1038 Luana, king of Allaxons fought againſt Odo, an imaginary king of France, and that in 1059 Iago, a fictitious king of Britain, died a little before Henrich, king of the world." Such are the admirable materials furniſhed by this muſter-roll of names for the conſtruction of the Gothick temple of Hiſtory.

But

But the Duan perhaps is a better quarry. Let us ſee what freeſtone or marble it yields, unintelligible and inexplicable as it is in ſome parts and mistranſlated in others. Oconnor, who is reſolved to be the great king not only of Ireland but of Albion, daſhes through thick and thin and ſticks in the mire. Well, what is the reſult? "Albanus of the numerous combatants was the firſt poſſeſſor of Alba of the hoſts of yellow treſſes. He was the ſon of Iſiacon and brother to Britus, who baniſhed Albanus acroſs the ſea of Nichtnavnus and ſeized on Alba as far as the territories of the hunter Fothadan. Then come the children of Nemhi, or Nemidius, and are ſucceeded by the Crunii from Ireland. Seventy Crunian or Pictiſh kings rule the Crunian plains ages before the Gothick accounts make the Crunii or Picts ſet foot in Ireland or even quit the ſhores of the Mæötis. The ſwarm from the prolifick Ireland is led by three ſons of Conor, or rather Oconnor, the great king of Ireland, of the mild mouth; and memorable was this tribe of the Gaels;" for the Duan calls them neither Goths nor Scots. The remainder of this delicate morſel of poetry is a mere liſt of names and years, and is ſo far from ſerving, if ſuch a ridiculous ſcrap could ſerve any purpoſe but that of laughter and contempt, as a ſolid foundation for the Gothick ſuperſtructure, that it overſets the whole fabrick.

But the Pſalter of Caſhel is ſurely more favourable to the claims of the Goths. Let the experiment be made. This boaſted cento is, in the words of Aſtle, "a miſcellaneous collection written in the latter end of the tenth century and full of fables and abſurdities." Hence the Iriſh antiquaries learn "that Ciocal (a name copied perhaps from Cocalus, a Sicilian tyrant, who lived many centuries

centuries after the ſuppoſed Ciocal) peopled Ireland a hundred years after the flood with the crews of veſſels containing each 50 men and 50 women. Dr. Parſons, however, with greater modeſty and upon the ſame authority contends that Cain's three daughters, of which ladies Bamba was the eldeſt, took poſſeſſion of this land of ſaints ſo late as 300 years after the deluge. But then, to mend the matter, and to ſurpriſe the reader with chronological exactneſs, another Dr. named Keating avers that the giant Partholan, the genuine anceſtor undoubtedly of the Macpharthólans or Macfarlans, and deſcended in a right line from Japhet, took poſſeſſion of the coaſt of Munſter on the 14th of May in the year 1978 after the creation. The ſame learned author and ſeveral other Iriſh ſages equally profound aſſert poſitively that Finiuſa Farſa, great grandſon of Japhet (and probably the father of the Mac Pharſons) opened a ſchool in the plains of Senaar 150 years after Noah quitted the ark and invented the Hebrew, Greek, Latin and Iriſh characters. Ireland too muſt have the honour of the immediate tranſmiſſion to Scotland of the Picts. Having ſerved in Thrace under Prince Policornus, who had, in order to ſave his daughter's honour, committed murder and fled, they roamed from place to place, till they came to Gaul and founded the city of Pictavia. Expelled, however, from this aſylum, they arrived in Ireland and aſſiſted the natives in repulſing the Britons, who had invaded that country. Finding the Britons an eaſy prey, they carried the war into their territories and erected the Pictiſh monarchy in Albion."—But how is the truth of theſe and other equally intereſting events contained in the Pſalter aſcertained? It is ſanctioned and inconteſtably eſtabliſhed by the unanimous approbation of the parliament of Tarach and

and its committee of nine ſpecially appointed, as in regenerated France, to examine and verify the national records and hiſtorical monuments. After a tiſſue of ſuch credible ſtories and well authenticated facts, who will diſpute the authority of the Pſalter of Caſhel?

A truce with ſuch legendary tales! the reader will be apt to exclaim, and give us the incontrovertible hiſtory contained in the Chronicle of the Picts: Behold this phœnix then with all its beautiful plumage!

"The Picts, ſo denominated from various figures imprinted on their bodies with ſharp-pointed inſtruments of iron dipped in ink, and mentioned as the firſt inhabitants of Britain, muſt be ſuppoſed to have come into it at leaſt as early as the third age of the world," from which words it ſeems that the writer thought the Chriſtian era coincident with the creation. "For the Britons, who muſt not be allowed to inhabit this iſland before the Picts, appeared, in ſpite of Ceſar, on Britiſh ground only in the third age. The Scots, who were ſo ſtyled either from their Scythian origin, or from their queen, Scotta, the daughter of Pharao, came ſtill later, having landed only in the fourth age of the world," by which the Chronicle muſt intend, if it intends any thing, the fourth century after the creation, as it cannot otherways be reconciled to what is ſaid concerning the Britons. "The Scythians, from whom the Scots and Picts are derived, and whoſe grey pupil enabled them to ſee better in the night than in the day, were from the whiteneſs, which their ſnowy abodes communicated to their hair, chriſtened Albans by their neighbours, the Amazons," who muſt therefore have ſpoken Latin inſtead of Sarmatick or Sclavonick. "The reſemblance of the laſt ſyllable Gog proves that the Scythians

and Goths originated from Magog, the ſon of Japhet, whoſe territories extended from the north-eaſt of India through the Palus Mæötis along the banks of the Danube and the ſhores of the Ocean to the confines of Germany," " a kingdom of a tolerable extent to be peopled in the ſecond generation by the progeny of one man and one woman. From this authentick ſource Pinkerton borrowed the idea of leading his Picts a dance from Perſia to the Palus Mæötis up the Tanais, from the Tanais to the Baltick and Gothland, from Gothland to Vichia or Pikia, (for, in a caſe of this nature, an antiquary has a preſcriptive right to twiſt and untwiſt, to rack and torture words at pleaſure), from Vichia round the Orkneys to Ireland, and from Ireland back again round Johnny Groat's Houſe to exterminate the ancient Caledonians and other Picts of Marcellinus, and at laſt to contend with their kinſmen the Scythians or Scots for the ſovereignty of Albion.

" Many of the regions, over which Magog's kingdom extended, and in which the Picts ſojourned, overflowed with gold and jewels, with the beſt emeralds, the fineſt ſapphires and the pureſt cryſtals, but were unfortunately inacceſſible on account of ſavage griffins, that guarded them as the fabled dragon watched the Heſperian fruit."

" The founder of the Picts in Britain was Cruithne, who, as he was ſo nearly related to the antediluvians, reigned 100 years, and had 13 ſucceſſors, whoſe reigns with his own amounted to 721, making for each, at an average, 51 years, a ſpace of time very nearly treble of what Sir Iſaac Newton would allow. Then come thirty kings all named Brude, who ruled Ireland and Albion each at a medium exactly five years, till the chronological ſkeleton, for it cannot be called hiſtorical, terminates

terminates in Kenneth Mac Alpin, who is here allowed to have utterly annihilated this fair ſtructure of Pictiſh greatneſs."

Now, reader, is not this a manuſcript worthy of being preſerved in cedar, or rather in Darius's caſket for jewels? Who would leave it a prey to worms? How laudably is an antiquary employed in the aſcertainment of the true readings! If the records, with which Iona ſupplied Boëthius, were not more intereſting than theſe, their loſs is not to be regretted; for ſuch an archæological feaſt would be fit only for the groſs palates of Gothick book-worms. Indeed I ſuſpect that, as Boëthius was not, like Buchanan, acquainted with the original language of the country and could therefore conſult only monkiſh documents like the Chronicle of the Picts, he allowed the Gallick manuſcripts, which were perhaps really valuable, to periſh. If the Pſalter of Caſhel, the Duan Albanach, the Chronicle of the Picts, and other fabrications of the ſame claſs had ſhared a ſimilar fate, our libraries would have been relieved from much learned lumber and our ſcholars from a deal of barbarous jargon. The only benefit accruing from ſuch publications is a conviction that on this ſubject publick and private repoſitories contain no hiſtorical records worth peruſal.

OBSERVATION.

From the beginning of Ceſar's* firſt and ſecond books concerning his Gallick wars, and from the whole tenour of his narrative, it appears that the various tribes of the Belgians poſſeſſed together with Picardy and Lorraine all the Netherlands from

* Cæſar De Bell. Gall. lib. i. cap. 1. Tertiam (partem Galliæ incolunt) qui ipſorum linguâ Celtæ, noſtrâ Galli appellantur.—Gallos ab Aquitanis Garumna flumen, a Belgis Matrona et Sequana dividit.—Ceſar enumerates the Belgick tribes in the beginning of his ſecond book.

the mouths of the Rhine; that the Aquitanians were confined to the narrow district of Gascony within the Garonne; and that the remainder of Gaul, amounting with the Roman province, of which the people were Gauls, to much more than half of the departments now constituting the French republick, was in the hands of the nation called in their own language Celts, and in Latin Gauls, who were divided into * two factions, at the head of which stood the Edui and Arverni, by the latter of whom and by the Sequani, their allies, a savage † and barbarous horde of Germans had been invited into Gaul as mercenaries. Cesar indeed remarks that the Gauls, Belgians and Aquitanians differed in language, and Strabo ‡ explains the nature and extent of the difference, telling us that the Belgians spoke the language of the Gauls with a little variation from their dialect, and that the Aquitanians differed from both entirely in person and speech and in both resembled the Iberians. That the German had no affinity to the Gallick language we learn not only from Tacitus, when he asserts "that their Gallick tongue proved the Gothini not to be Germans," but also from Cesar §, when he informs us that he sent C. Valerius Procillus, on account of his skill in Gallick to converse with Arioviſtus, who from long-continued practice made great use of that language.

* Cæsar De Bell. Gall. lib. i. cap. 31. Galliæ totius factiones esse duas; harum alterius principatum tenere Æduos, alterius Arvernos—factum esse uti ab Arvernis Sequanisque Germani mercede conducerentur.

† Ibid. Postquam homines feri ac barbari (Germani) agros et cultum et copias Gallorum adamâssent, plures Rhenum transductos.

‡ The passage of Strabo proving this assertion is in page 25 as a note.

§ De Bell. Gall. lib. i. cap. 47. Visum est C. Valerium Procillum propter linguæ Gallicæ scientiam, quâ multâ jam Arioviſtus longinquâ consuetudine utebatur, ad eum mittere

AN

APPENDIX.

THAT the inquiſitive reader may be exempted from the trouble of conſulting the original book for ſome eſſential facts advanced in the preceding tract, I inſert here the following extracts from the excellent Inquiry into the Origin of Writing, publiſhed by Mr. Aſtle, Keeper of the Records in the Tower, to whoſe diligence, learning, and penetration, the literary world is ſo greatly indebted.

Aſtle, p. 46.—" Plato ſomewhere mentions Hyperborean letters very different from the Greek."

Id. p. 123.—" The Gallic or Erſe language, uſed in the Highlands of Scotland, and Iberno-Gallic, are nearly the ſame, and their letters are ſimilar to each other, as appears by comparing the different ſpecimens in plate 22.

" In the firſt column of this plate are ſpecimens of eight different manuſcripts, written in the Gallic or Erſe tongue, which is confeſſedly a dialect of the Celtic.

" Theſe manuſcripts are now in my library, by favour of ſome friends, who procured them from the Highlands of Scotland.

" The firſt and moſt ancient ſpecimen of the Gallic, or Erſe language, which I have ſeen, is taken from a fragment of a work entitled ' Emanuel,'

nuel,' which, from the forms of the letters, and from the nature of the vellum, may be as old as the ninth or tenth century."

Aſtle, p. 138.—" In truth all ſcepticiſm muſt vaniſh by an inſpection of the 22d plate, wherein we have ocular demonſtration that the Erſe and Iriſh characters are the ſame; and that they are ſimilar to thoſe uſed by the Saxons in Britain appears from ſeveral Saxon alphabets in the preceding plates."

VINDICATION

OF

BUCHANAN.

WHATEVER doubt ſome infidels may entertain concerning the immortality of the thinking principle in man, none can be harboured by well informed and liberal minds about the propriety of vindicating the poſthumous fame of deceaſed merit, and of perpetuating, as far as the thing is practicable, that life which floats in the breath of others; for it is a debt which we owe as much on the ſcore of gratitude for paſt benefits as of prudence for future advantages. Though we know that expreſſions of thanks can be of no utility to the author of nature, yet they ſpontaneouſly burſt from our breaſts upon viewing the wonders and bleſſings of his creation. Why then ſhould we not experience ſimilar, but inferiour emotions of gratitude to thoſe rare ſpirits, who have ſhone as luminaries in their reſpective nations, and guided them, like polar ſtars, through the ſea of ignorance

rance and barbariſm? We need not with the adulation of the ancients conſecrate them as demigods, or with the ſuperſtition of the moderns canoniſe them as ſaints: but we may exhibit them in pictures with the pencil or the pen as objects of admiration and models of imitation to every age. The fame of Bacchus excited the emulation of Alexander, and the exploits of Ammon's ſon lighted up a kindred fire in the breaſt of Ceſar. For, however impaſſive and non-electrick ſome human frames may be, a few of more refined elements will always catch the flame and ſerve as meteors, comets, or ſuns, to illuminate the benighted world. Of this laſt claſs was George Buchanan, the author of the following dialogue, who, though born, as he ſays himſelf, in an age and country of no great learning or refinement, blazed out in all the meridian ſplendour of genius and taſte, and was juſtly ſtyled the literary ſun of Scotland.

But, had his light been confined to the cold tracts of Caledonia; had it not extended its benefits to the other regions of Europe, I ſhould not at this buſy criſis have introduced his works upon the publick ſtage, nor directed the national attention to his memory. Had he not lived at an ominous period, like the preſent, and inſtructed the weſtern hemiſphere no leſs by his political writings than he had delighted it by his poetical compoſitions, his treatiſe on government, which I now publiſh in Engliſh, might have ſlept undiſturbed on the ſhelf among other duſty volumes, which the myſteriouſneſs of a language becoming daily more and more unfaſhionable will ſoon render as unintelligible even to ſcholars as the Shanſcrit books are to the Indoos. Here democratical innovators will ſee that, though a ſteady friend to liberty, he

he was a ſyſtematical enemy to all violent changes in any moderate form of government.

Paine's Rights of Man lately excited a great ferment among the illiterate; but not a greater than Buchanan's diſſertation formerly raiſed among the learned. Nor is this a ſubject of wonder, when we conſider Buchanan's fame as a poet. Out of innumerable teſtimonies of his ſuperiour merit in poetical compoſition I ſelect the following lines, which his death, a period, when envy ceaſes, extorted from the pen of the renowned Italian, Joſeph Scaliger. The tranſlation is rather cloſe than adequate, more true to the ſenſe than to the ſpirit of the original.

THY country bleſt, Buchanan, in thy fame,
And every region honouring thy name,
Thou dieſt declining mad ambition's ways,
To wealth ſuperiour and to vulgar praiſe;
Of Phebus and his choir the favourite ſon,
Who every prize in every conteſt won.
The rare memorials of a ſoul refin'd,
Which in thy works admiring nations find,
No bard ſhall equal of the Gallick breed,
And of th' Italick none could e'er exceed.
Rais'd to her zenith poetry no more
Beyond thee tries on daring wing to ſoar.
Bounds to her empire Rome in Scotland found,
And Scotland too her eloquence ſhall bound.

The ſplendour of his poetical talents was what occaſioned the principal misfortunes of his life; for the Franciſcans having diſcovered them wiſhed by the poſſeſſion of ſuch a treaſure to attract popular attention to their decaying order. Accordingly the ſly brotherhood tried by various artifices to inveigle Buchanan, who, inſtead of complying, repelled their importunities by writing a little elegy,

elegy, of which the following is an imperfect verſion.

At dawn, when frighted by the ſolar ray
The ſtars turn pale at the approach of day,
Francis in knotty dowlas clad, and red
With recent laſhes, ſtood before my bed.
The ſacred veſtments all he held in hand,
Hat, cord, book, robe, and burſten ſhoe and wand,
And ſmiling ſaid, " At once theſe badges wear,
Forſake the world, and to my camp repair,
The anxious blandiſhments of pleaſure ſpurn,
And from her fearful joys repentant turn.
Vain hopes and cares I'll teach you to deſpiſe,
And tread the paths ſtrait leading to the ſkies."
Fix'd in amaze I at this viſion hung,
And ſcarce theſe ſounds could iſſue from my tongue;
" Without offence may I the truth declare?
That garb my ſhoulders are unfit to bear.
The wearer muſt in cringing ſlavery bend;
I hail paternal freedom, as my friend.
The wearer's brazen front no bluſh muſt know;
That I'm forbid by nature's honeſt glow.
He muſt deceive, coax, feign and temporize;
I love ſimplicity without diſguiſe.
Me nor your lice nor rancid ſongs diſmay,
Nor prowling lives like thoſe of beaſts of prey;
Nor bellowing roars, when at each gate you bawl;
If ſuch vain arts can move th' ethereal hall.
The way to heaven the cowl can ſeldom find;
For monks, 'tis thought, no place is there aſſign'd.
Survey all temples rear'd with ancient ſtone,
And read o'er monuments th' inſcriptions ſtrown,
You many a biſhop's honour'd ſhrine will view,
Scarce one erected to the hooded crew.
Let then this garb with monks be rare and fine,
And thoſe who love in penury to pine.
But if my welfare lie ſo near your heart,
Would you ſave me, or ſave my better part;

Let

Let others traverſe all the country o'er
Proud of this dreſs, and beg from door to door:
The trade I like not, nor the monkiſh frown,
Give me a mitre and a purple gown."

This ſportive effort of the poet's muſe was repreſented by theſe profeſſors of meek benevolence and philanthropick forgiveneſs as a flagrant proof of daring impiety and atheiſm; and according to the uſual practice of holy men they thought that no puniſhment could be too ſevere for ſuch a calumnious and blaſphemous wretch. During this irritation of mind on both ſides, the Scottiſh king, who ſuſpected the Franciſcans of having joined a party of the nobility in a conſpiracy againſt the crown, and was unacquainted with the ſubſiſting quarrel, commanded Buchanan, then preceptor to his natural ſon, James, afterwards Earl of Murray and Regent, to expoſe them in a poem. Our author, unwilling to offend either party grievouſly, wrote a ſhort piece of ambiguous meaning, of which ſome idea may be formed by the Engliſh reader from the ſubſequent tranſlation of as much of it as can be communicated in an unlearned language.

"SUPERIOR ſanctity you never feign,
Nor ſwallow camels, while at gnats you ſtrain.
Rare your ſimplicity, your virtue's rare;
Rare is of truth and modeſty your ſhare.
In you is pride unheard of, ſtrength that braves
All luſt; your hands to labour ne'er are ſlaves.
Your ſleep's not broken by the din of Mars;
No bar exhauſts your lungs with wordy wars.
You plant no vine, nor ſow the furrow'd plain,
Nor ſpread the canvaſs on the ſtormy main,
The gains of others you, like rats, devour,
And feaſt, as gods, in Epicurus' bower.
You thus of beggary may juſtly boaſt;
It makes you live like the angelick hoſt.

Songs, pſalms and concerts, gardens gay with flow'rs,
And gorgeous palaces amuſe your hours.
You heir th' induſtrious farmer's hard-earn'd wealth,
What robbers ſeize by force and thieves by ſtealth.
All, all you ſhare in many a ſumptuous meal;
Riſk, loſs, vexation, th' owners only feel.
In lux'ry wallowing you preach content,
And praiſing abſtinence you ne'er keep Lent,
Never intruſive at the poor man's board
You bleſs the table of the ſquire and lord,
Where imitating piouſly Saint Paul,
Like good diſciples, you turn all to all."

However ſevere this ſatire may appear to a diſintereſted inquirer, the king animated by revenge thought it too circuitous and indirect, and inſiſted on a more keen and pointed invective. Accordingly Buchanan dipped his pen in blacker gall, and produced a piece called The Franciſcan, the commencement of which may be thus tranſlated, or rather imitated; for it would argue much preſumption in the author to think his verſion equal to an original, which has all the wit of Horace with the force and fire and harmony of Juvenal.

"Whence is this novel gloom, this rigid frown,
That clouds your brow, as if you wore the gown?
Whence have theſe ſlow and meaſur'd paces ſprung,
And conſtant guard upon your bridled tongue?
Where is your wit, and where that feaſt of ſoul,
That gave a reliſh to the flowing bowl,
Your pleaſantry and ſympathetick ſmile
That gilt each viſage as the ſun our iſle?
The elaſtick ball to catch with active flight,
Or train the charger, yields no more delight;
No more the pheaſant, as he ſprings in air,
You long t' arreſt, or courſe the doubling hare.
The ſtag in peace now crops the verdant glade,
And fox unpuniſh'd plies his thieviſh trade."

Oft

" Oft as I weigh'd the woes of human life,
Its fruitleſs toils and everlaſting ſtrife,
Its idle hopes, its anxious fears and joys,
Like airy viſions, which the graſp deſtroys,
By varying paſſions toſt from ſide to ſide,
As on the deep a ſhip by wind and tide,
Whatever portion of life's fleeting ſtream
The fates reſerve me 'tis my preſent ſcheme
Far from the world to ſpend in pious cares,
And expiate youth's ſins with tears and pray'rs.
O for that holy, that triumphant day,
When clad in ſacred cowl and ſober grey
I ſhall from Francis catch the holy ghoſt,
And, though on earth, live as the heavenly hoſt.
This is the mark I aim at, this the goal
And port that's long'd for by my panting ſoul,
No more at random on life's ocean hurl'd,
No more the ſport of a deceitful world."

" To holineſs if a compendious road
You mean to take through virtue's high abode,
If leaving childiſh toys and error's maze
Of naked truth you wiſh to tread the ways,
To trace the ſource of bliſs and lift your ſight
To heavenly objects and ethereal light,
Your purpoſe I commend; the noble aim
And great attempt my gratulations claim:
But, if bewilder'd by delirious dreams
You ſtand the dupe of intereſted ſchemes;
If led aſtray by theologick ſchools
You take for heav'n the paradiſe of fools,
A backward courſe be not aſhamed to bend,
Nor ſpurn the counſels of an honeſt friend.
Let not the ravings of the vulgar herd
To ſolid reaſon's dictates be preferr'd,
Nor myſtic nonſenſe cruſted o'er with age
To ſimple leſſons read in nature's page.
Yet ſtill believe not that I heaven defy,
Or act the giant and aſſault the ſky;

For I have reverenc'd from my tender age
The genuine prieſt, the philoſophick ſage,
Whom ſpotleſs virtue ſanctifies, whoſe name
Superiour knowledge dooms to endleſs fame.
This race (we have the ſtory from their tongue)
From a long line of pious fathers ſprung
Fam'd for their pray'rs and legendary news,
In other points unletter'd, rude and Jews.
But their degenerate ſons, a ſordid crew,
Forſaking piety vile gain purſue,
And under feign'd devotion's flimſy veil
The rankeſt vice and blackeſt heart conceal.
Yet by religious ſhow and paſt renown
They cheat the chattering cit and gaping clown.
But, leſt with look aſtoniſh'd at the glare
Of holy tinſel you ſhould dazzled ſtare,
And with ſuprize the ſhadowy phantoms view,
Palm'd on th' unwary by this conjuring crew;
Come, ſcan with me what vulgar ſouls admire
In lordly pontiffs; why even kings conſpire
To aid the craft and hold them up on high
To gaping fools as fav'rites of the ſky;
What merit women's dangling cloaks and gowns
Impart to briſtly chins and ſhaven crowns,
What monſters they in Jewiſh veſtments hide
And ſable ephods, Egypt's prieſtly pride;
Vain ſuperſtition's ſly and knaviſh arts
Of ſimple ruſticks to bewitch the hearts
To buy their baubles, and ſtill dread the nods
Of arrant mountebanks as demigods.
Here, as to carrion flies a hoſt of crows,
Run all who dread an angry ſtepdame's blows,
Or pinching hunger, or the ſtern command
Of ſire ſevere, or teacher's flogging hand,
Or law's correction, or the painful toil
Of ſtudy's vigils o'er the midnight oil,
All whom no genius fires, whoſe lazy blood
Creeps, like an arm of the Lethëan flood,

Whom

Whom wit and ſcience and the tuneful Nine,
And ſtars forbid in arts or arms to ſhine.
In learning's arduous paths with fruitleſs pain
When theſe have ſpent their youthful days in vain,
Unnerv'd in indolence's ſoftening ſhades
They dread diſploſive tubes and trenchant blades,
Nor know on briny waves o'er oars to bend,
Or looſen'd ſoil with furrowing plough ſuſpend;
And hence the belly's clamours to aſſuage,
And fence their carcaſe from keen winter's rage,
They here in ſhoals, like crocodiles, reſort,
Of ſloth and idleneſs the choſen port.
Pelf ſome collect in ſuperſtition's dome,
And others guard in treaſuries at home,
The dull the country ſcour, the keen the town,
And with the ſpoils of both their convent crown;
This circumvents the widow, that the wife
And ſows the ſeeds of matrimonial ſtriſe.
The beardleſs ſtripling they can mold with eaſe,
His fears and terrors drive him where they pleaſe.
Of tender maids they play around the heart,
And on their favourite paſſion work with art.
A veſtal pregnant by divine embrace
The founders bore of Rome's imperial race.
A matron hugg'd in dragon's form a god,
Whoſe offspring ſoon on crowns and turbans trod.
Why may not they inflam'd with ſacred fire
To equal fame beneath a ſaint aſpire?
The bible for their pillow and their bed
A prophet's robe, what can there be to dread?
Such tempting baits before the eye ſtill ſet
The gudgeons draw at laſt into their net.
The victims add of a diſorder'd brain,
Delirious fever's and dire phrenzy's train.
Theſe craz'd with long vertigoes at death's gate
Swear that, if heav'n appeas'd ſuſpend their fate,
The dregs of life with ſtarch and monkiſh air
In bands and gowns they will devote to pray'r.

At this ſome prieſtling hot with holy zeal,
And meas'ring juſtice by the convent's weal,
Mutters ſtrange magick ſounds o'er bread and wine,
And ſtrait his breath their ſubſtance makes divine.
This god by his creator ſwallowed whole,
He then abſolves from ſin the patient's ſoul,
Loads him with hempen cords and veſtments brown,
And of his addle pate lays bare the crown,
Prates in his credulous ear an idle dream,
A maſs 's pow'r offences to redeem,
Aſſures him heav'n at death, in life prepar'd
As much and more to promiſe, if he fear'd
Through lack of lies that he ſhould miſs the way
To one half-ounce of the expected prey.
By theſe falſe tales the wretched dotard ſway'd
Bids precious goods be to the monks convey'd,
Plate, pictures, tapeſtry and gems untold,
And ſilken robes and all that fetches gold;
Since they pretend their ſanctity is ſuch
The pureſt gold would taint them with its touch.
This chaff will catch but idiot birds alone;
To them for pay all heaven is open thrown.
If death ſhould graſp a Lazarus in his fangs
No mournful dirge is ſung; no cymbal clangs,
No long proceſſion in white robes attends;
No voice the air with lamentations rends."

This poem, of which the remainder breathes equal ſeverity, naturally excited the reſentment of Cardinal Beaton, who, as the Pope's vicegerent in Scotland, watched the intereſts of the church and the manœuvres of hereſy; for hereſy was always the eccleſiaſtical cry, when any of the monkiſh inſtitutions or religious armies diſperſed through Chriſtendom was threatened with danger. Accordingly the prelate, who knew the king's neceſſities, and that his honour was not, like that of

of modern kings, inflexible, purchaſed Buchanan's life for money, and kept him in priſon, till he could after a formal proceeding at law be condemned and burnt, as others were, for hereſy.

But our author having eluded the vigilance of the jailors fled to England, where he found as little ſecurity as in his native country, the Catholicks and the Proteſtants being equally ſacrificed by the capricious tyranny of the deſpot, Henry VIII. Depending therefore on literary connections and old habits of intimacy formed in France he repaired to Paris, whence the intrigues of his inveterate enemy, Cardinal Beaton, who was there on an embaſſy from Scotland, ſoon obliged him to decamp. The brilliancy of his talents, however, procured him an aſylum at Bourdeaux, where for three years he inſtructed youth, and with an intention of weaning the public mind from the repreſentation of allegorical plays, which were then in vogue, introduced upon the ſcholaſtic ſtage two original, and two tranſlated, tragedies, The Baptiſt and Jephtha, and the Medea and Alceſtis of Euripides. His ſucceſs upon this occaſion exceeded, as he ſays himſelf, his expectations; and to this ſucceſs we may juſtly aſcribe the early regularity of the French ſtage, its attachment to the three unities and to other excellences of the ancient drama.

Having thus improved theatrical exhibitions in France he would, upon his eſcape from perſecution in that country and in Portugal, have undoubtedly done a ſimilar ſervice to Scotland, had he not on his return to his native ſoil been ſuddenly immerſed in the waves of civil diſcord. The convulſions occaſioned by diſputes concerning religion and government had at that juncture precluded the poſſibility of ſo deſirable an improvement. But what

what his country could then bear he performed. He taught in the following dialogue the genuine principles of government. Nor were the benefits of his political writings confined to Scotland. The juſtneſs of his reaſoning and the elegance of his ſtyle excited the univerſal attention of Europe, and gave riſe in due time to the diſſertations of Machiavel, and to the treatiſes of Harrington, Sidney, Locke and Hume. His opinions, indeed, were at firſt violently oppoſed by the temporiſing flatterers of power; but are now deemed little inferiour to political axioms. Hence he may be reckoned the father of politicks in modern Europe, having drawn the great outlines of the ſcience and left his ſcholars to fill up, to ſhade and colour the leſs eſſential parts. Here, if anywhere, is to be found a complete picture of a patriot king or ſupreme magiſtrate; and therefore, as the friends of kings, who ought to have many, ſeldom dare to remind them of various truths contained in books and particularly in this treatiſe, it is a fit preſent for a king. Indeed, if every king's ſons were trained to the duties of humanity among other boys of the ſame age and taught under the ſevere diſcipline of a ſchool to obey, before they command, ſuch a preſent would be leſs neceſſary to a court. For they can ſeldom, if ever, expect to meet with a man of Buchanan's wiſdom, patriotiſm and independence for their preceptor. Who but he would in the ſlaviſh age, when he flouriſhed, have treated with the ſtricteſt ſeverity of ſcholaſtick diſcipline the lineal heir to three crowns? Having for ſome miſbehaviour diſplayed this ſtoical fortitude of mind in the caſe of his royal pupil James I, and been reprimanded by the Counteſs of Marr, the youth's governeſs, for *daring to lay his hand upon the Lord's anointed*, he replied with his uſual

uſual ſatirical keenneſs, " Madam, I have only whipped what, if you pleaſe, you may, but I will not, kiſs."

This wholeſome plan of education being counteracted by the intereſted ſervility of domeſtick and foreign ſycophants produced two letters of admonition, one prefixed to the Baptiſt and another to the treatiſe now offered to the publick; and both intended to ſerve as proofs to poſterity that, if miſled by evil counſel or corrupted by regal licentiouſneſs he ſhould ever deviate from the paths of rectitude, he might not have it in his power to charge his miſconduct on his preceptor but on his own neglect of good advice.

This ſpirit of independence and inflexibility of virtue naturally excited jealouſy and hatred among the vermin of the palace, and expoſed our author upon the publication of his hiſtory to almoſt as much danger as he had incurred by the compoſition of his Franciſcan. When told that the king forgetful of honour and obligation was on the point of acceding to the conſpiracy againſt his life he is reported to have ſaid, " My enemies muſt be expeditious; elſe I ſhall give them the ſlip and take refuge where there are but few kings." The event ſoon juſtified his ſuſpicions; his conſtitution exhauſted by literary exertions and the inevitable decays of age reſcued him from the axes of regal tyranny and from the faggots of eccleſiaſtical perſecution.

But, though his perſon then eſcaped the rage of his enemies, his memory, which ought to be dear to every friend of liberty and every lover of learning and genius, was, and is ſtill, calumniated by the paraſites of paſſive obedience, and the tools of religious bigotry. Though two hiſtorians, Hume and Robertſon, the one a ſceptical philo-

ſopher and the other a preſbyterian divine, were compelled, after the peruſal and collation of every document, to paſs ſentence of condemnation on Mary, various champions have entered the liſts in defence of her cauſe, and hurled enormous volumes, as gauntlets of defiance, at her alleged calumniators.

Theſe zealous advocates heated by controverſy forget that, though they ſhould prove all the letters ſaid to be her's ſpurious, they ſtill leave behind untouched and uncontradicted matter ſufficient for her condemnation. Bred in France, at a court avowedly corrupt and licentious above the ordinary ſtandard, ſhe came to Scotland in the full vigour of youth and the paſſions, and, as her conduct evinced, not untainted by its vices. For, in her train, ſhe brought Chatelard, a French gentleman, who, by the elegance of his figure, by his gay and inſinuating manners, and by celebrating her beauty and accompliſhments in verſe, became the ſoul of her ſelect companies, her partner in the dance, and a favourite at her little ſuppers and private amuſements in her cloſet. The ambitious adventurer naturally conſtruing theſe acts of partiality to be indications of a mutual flame reſolved not to retard by his backwardneſs the ſeeming wiſhes of fortune. He therefore took his poſt one evening beneath the queen's bed, and waiting with anxious impatience for ſilence and ſolitude was detected—not by Mary, but by the maids who were undreſſing her. This diſcovery ſo ambiguous in its nature rendered Chatelard's immediate diſgrace and temporary baniſhment from the royal preſence inevitable: but the full pardon and ſpeedy reſtoration to favour, that enſued, prove that he was not greatly miſtaken in judging that, if he had eſcaped her women's prying eyes, he would have found a ſtrong advocate for his intruſion in the amorous

amorous heart of Mary. Accordingly he repeated the experiment, and being a ſecond time detected —not by Mary, but by her unbribed maids, he was tried and beheaded, not for his guilt, but for his preſumption; no law but Barbary's or the ſeraglio's deeming an act merely intentional and incomplete capital.

To experienced obſervers this intrigue ſufficiently aſcertained the future character of the queen's reign and what Scotland had to expect from a French education. In addition to this ſpecimen of her morality, ſhe ſanctioned by her approbation and concurrence the league of Bayonne, the moſt infernal plot againſt humanity that is recorded in hiſtory. Hanno conſpired to maſſacre the whole ſenate of Carthage, Cataline to burn Rome and aſſaſſinate the patricians, and Guy Fox to blow up the Engliſh parliament with gunpowder. But theſe enormities were to this mere peccadilloes, the ſlight ſhocks of petty mines compared to the tremendous exploſion of a volcano. For here the object was to exterminate all the proteſtants in Chriſtendom, or, in other words, half of Europe's inhabitants. There can be little doubt, therefore, but the conſpirators wiſhed, like Caligula, that the intended victims had but one neck, that their heads might be ſtruck off at one blow.

The ſovereign's private life being ſo reprehenſible and her publick conduct ſo ominous, it is not ſurpriſing that her natural brother, the Earl of Murray, under whoſe auſpices and directions her affairs had hitherto proſpered, ſhould, from a regard to his own character and to her intereſt, interfere by advice and remonſtrance, and warn her of the precipice on the brink of which ſhe ſtood. Finding, however, that, in a breaſt ſwayed by the amorous and the religious paſſions, his friendly counſels pro-

duced no effect but ill will to himself, he retired from court, that he might not by his presence seem to countenance what he could not approve. This step he took the more readily that he saw his interest annihilated by David Rizzio, a needy and obscure Piedmontese, who from an underling in her band of musick became her secretary, her favourite and her prime minister. The sudden elevation of this minion to consequence, wealth and splendour, afforded no little employment to the tongue of scandal; for, though of a forbidding aspect, he was in the vigour of youth and had a melodious voice and an insinuating address; and men could not account for the insolent airs and confident assurance of a foreigner, who had not any natural connections as a basis of security, without supposing him admitted by the queen to the last familiarity. Be this as it may, seeing clouds gather around he resolved to be provided with shelter from the storm. But the storm he was not fated to escape; he fell crushed beneath the bulwark which his own hands had erected.

Queen Elizabeth, who, from history and by her own practice, knew that the courts of female sovereigns are generally scenes of debauchery, and concluded that Mary following her example could not exist without an amour, allowed Lord Darnley, the next heir to the crown and a showy but weak youth, to embark for Edinburgh upon a matrimonial adventure. Rizzio, who durst not lift up his own eyes to so high a fortune, aided his suit, trusting that from a sense of gratitude and inexperience he would submit to his directions and leave him still master of the realm and queen. Darnley was no sooner seen than approved, and no sooner approved than married. But marriage quickly dissolved the charm. The husband's emptiness

was

was preſently diſcovered; and Rizzio again preſſed into a vacuum, of which he had never been entirely diſpoſſeſſed. The conſequent excluſion of Darnley from conjugal rites produced jealouſy, jealouſy revenge, and revenge murder. Rizzio being, in ſpite of the queen's prayers and tears, dragged from a cloſet, in which he was ſupping with her, fell pierced with many weapons. Hearing that he was diſpatched, ſhe exclaimed, "I will ſhed no more tears, but think of revenge."

Nor did this vindictive ſpirit evaporate in words, but continued to burn till it conſumed her huſband and ſome of his abettors. Having by promiſes of renewed affection and by inſidious careſſes perſuaded him to abjure his own ſignature and the party whom he had authoriſed to diſpatch Rizzio, as the adulterous paramour of his wife, ſhe threw him from her as a perjured, contemptible and loathſome thing; and as ſhe muſt have a favourite, admitted to her graces the Earl of Bothwell, an unprincipled debauchee, whoſe only gods were his appetites and paſſions. From gratifying theſe he was reſtrained by a ſenſe neither of decency nor of guilt. Hence he divorced his wife without any colourable excuſe, and poiſoned Darnley by his emiſſaries. When the queen learned that the ſtrength of her huſband's conſtitution aided by the vigour of youth was likely to overcome the effects of the poiſon, ſhe flew to Glaſgow, and by her inveigling arts perſuaded him to follow her to Edinburgh, where, inſtead of being lodged, as decency required, in the palace, he had for his reſidence an old deſerted houſe without the walls and between two ruinous churches. Here ſhe occaſionally viſited him, as if ſhe had been entirely reconciled. But this was but a ſhort calm before a ſtorm. On the only night that ſhe honoured him with a kiſs,

at

at parting to celebrate the important nuptials of a menial ſervant, he and the houſe and ſome of his attendants were blown up with gunpowder by her favourite Bothwell and his imps.

Though the perpetrators of this horrid crime were marked out by voices in the night and by placards in the day, by the rude clamour of the multitude, and by the direct charge of the victim's father, means were found to elude juſtice and to complete the conjugal union of the ſuſpected parties. Mary indeed pretended that Bothwell owed the poſſeſſion of her perſon to a rape, and that her conſent to marry him was extorted by the fear of death. But will the principles of human nature allow us to think it probable, or even poſſible, that her favourite and prime miniſter ſhould, without colluſion, firſt be guilty of a rape, and then proceed to the outrage of threatening her with death? Without an aſſurance more than verbal of royal protection he could never have riſked the conſequences of ſuch enormities as rape and regicide. From a plan ſo frantick, ſo pregnant with ruin to both, he muſt at once have recoiled, had he not known that, like Judas, ſhe had firſt betrayed her huſband with a kiſs. Had an actual reconciliation and renewed affection to her huſband taken place, as her apologiſts contend, what a baſe wretch muſt ſhe have been to think a matrimonial connection with ſuch a monſter a leſs evil than death! A debt that every human being muſt pay to nature is ſurely not ſo heavy a load as infamy. Nothing but the predominance of love, which in breaſts under its ſway ſwallows up every other paſſion, and levels every obſtacle, can account for her conduct. That love was her ruling paſſion appears from the whole tenour of her life; for even in an Engliſh priſon ſhe could not abſtain from amorous intrigues.

Hence

Hence in her correſpondence with a northern Duke he becomes "her Norfolk," and ſhe "his own queen;" and Morgan in a letter to her ſays, "perhaps there have paſſed between your majeſty and the Duke ſome other tranſactions, which entitle the ſaid Earl to the name of ſon."

This being a juſt, though brief, narrative of the principal incidents in the life of this celebrated princeſs, can we be ſurpriſed that her letters ſhould be correſpondent? When peruſed they will be found uniform and of a piece with the reſt of her conduct, and both will appear mutually illuſtrative. Had the letters been ſpurious, they would have been leſs numerous and not of ſuch a ſuffocating length, not ſo minute but more directly criminal. No counterfeited hand could preſerve the appearance of identity through ſo many tedious pages, which contain many particulars not conceivable by any imagination but that of a real actreſs in the tragedy. Why did the originals of the letters diſappear but becauſe James thought that their exiſtence would diſgrace his mother's memory, and perhaps render his own legitimacy queſtionable? No other reaſon can be aſſigned for the deſtruction of Crawfurd's evidence, and particularly of Morton's narrative, which gave a very natural account of the manner in which the diſcovery was made. Even the Duke of Norfolk allowed theſe documents to be genuine, till he formed the ſcheme of mounting a throne, as Mary's huſband. Indeed how was the reverſe poſſible, ſince he had an opportunity of comparing them with many written to him by her own hand; ſince they were examined by the Scotch Council and Parliament, by the Engliſh Commiſſioners at York, at Weſtminſter and at Hampton Court, and verified by the identity of writing and orthography?

Lethington,

Lethington, indeed, a gentleman of our preſent Lauderdale's family, is ſaid by Norfolk to have declared that he counterfeited Mary's hand. But, if we could believe Norfolk's tale, what credit can be given to a man who at firſt told a different ſtory and contradicted himſelf? The ſame anſwer is applicable to the argument drawn from the contradictions obſervable in the minutes of the Scotch parliament; for it is a weapon that cuts equally both ways. If the records of this parliament, which from its ſcrupulous attention to the intereſt of the heir apparent appears not to have been obſequious to Murray, are contradictory, allow their evidence no weight in either ſcale; for it is abſurd to bring them as proofs on one ſide without allowing them equal force on the other. Like the teſtimony of Lethington in the caſe of the letters, the evidence deſtroys itſelf.

But it is objected that the box, which contained the letters, (and without rings or jewels) was kept ſecret for 34 days. This temporary ſuppreſſion aroſe from prudential conſiderations; from the fears of a rupture with France, and of an irremediable quarrel with Mary and with her ſon James. Much reluctance appeared in the production of them even to Elizabeth, becauſe ſhe had given repeated proofs of irreſolution and duplicity.

This clew leads us to the proper ſolution of Dalgleiſh's releaſe and ſecond apprehenſion. At firſt no crimination was intended for fear of an irreparable breach: but, when a breach became inevitable, he was again produced upon the ſtage.

But why did not Bothwell take the caſket with him, or at leaſt ſend for it in the interval between the 20th of June and the 8th of July, when he eſcaped by ſea? He was hindered by the confuſion of hurry and guilt. Why then did he not order the

the letters to be deſtroyed? Becauſe he had no miniſter whom he could truſt; and he might wiſh to preſerve the letters as a certain reſource, if fortune ſhould by any viciſſitude prove favourable to the queen, whoſe honour and ſafety would render them ſure pledges of his return to power.

When the light of internal and external evidence combined to flaſh ſuch conviction upon the mind, it may ſeem ſtrange to careleſs obſervers that the puny cavillers againſt the authenticity of the letters ſhould find in the world a maſs of folly conſiderable enough to keep them in countenance. The truth is, that enveloped in fog and hidden by their own ink, they obſcure, like the cuttlefiſh, the medium through which they paſs. The reader bewildered in a chaos of their formation, and groping in vain for an outlet, loſes all patience and makes a random choice. What but this ſpecies of indolence could induce any rational being to withold his aſſent from the teſtimony of ſuch clouds of witneſſes, who were perfectly well acquainted with Mary's handwriting and orthography? What but abſurd prejudice and obſtinacy can refuſe credit to Buchanan, who was a commiſſioner, who had every opportunity of inveſtigation and knowledge, and who left the whole ſtory upon record a few months before his exit to render an account of his actions at that tribunal, from which there is no appeal? Accordingly, when the famous Knox and ſome other friends, upon ſeeing the proof-ſheets relating the moſt obnoxious parts of Mary's conduct, were alarmed and requeſted that he would reviſe certain paſſages and ſoften a few aſperities, which they conceived likely to irritate the king, her ſon; "Do you think," ſaid he, "that I have advanced a ſingle falſehood?" Their anſwer being in the negative, he ſubjoined, "Then, with truth on my ſide, I defy her enemies, and take upon

 myſelf

myſelf the feud againſt all their kin." Were he now alive, could he give a more pertinent anſwer to Goodall, Titler and Whitaker, and all the foes of hiſtorical truth, men who, in order to defend a ſingle indefenſible character, make devils incarnate of all the illuſtrious ſtateſmen that adorned both kingdoms at that period? How can the reader fall in love with their idol, while they render human nature deteſtable? Their whole ſyſtem is a tiſſue of inconſiſtencies, and therefore diametrically oppoſite to Buchanan's. What he wrote in the proceſs commenced againſt Mary differs not in ſubſtance from what he has left behind him for the inſtruction of poſterity at the awful moment of quitting this terreſtrial ſcene. How, indeed, could a Stoick philoſopher (as he is ſtyled by Melville, the queen's favourite ſecretary and his inveterate enemy), how could a ſage of quick diſcernment and deep penetration ſuddenly turn his back upon truth and belie a whole life of probity and honour? Having renounced Mary's creed, and therefore all faith in abſolution and extreme unction, he prepared for his laſt journey by a ſtrict adherence to veracity as well as to every moral obligation. The menaces of the king and court could not ſhake his conſtancy; for he remembered that

The man, whoſe mind on virtue bent,
Purſues ſome greatly good intent
With undiverted aim;
Serene beholds the angry croud,
Nor can their clamours fierce and loud
His ſtubborn honour tame.

Not the proud tyrant's fierceſt threat,
Nor ſtorms that from their black retreat
The lawleſs ſurges wake;
Nor Jove's dread bolt, that ſhakes the pole,
The firmer purpoſe of his ſoul
With all its power can ſhake.

Should

Should nature's frame in ruins fall
And chaos o'er the ſinking ball
Reſume primeval ſway,
His courage chance and fate defies,
Nor feels the wreck of earth and ſkies
Obſtruct its deſtin'd way.

Having thus repelled what I conceive to be the principal charge againſt the memory of Buchanan as an author, I now beg leave to remark that the objections ſtarted againſt the earlier, and, what ſome will call the traditional, if not fabulous, part of his hiſtory, ſeems captious rather than ſolid. For, as Boëthius was born only thirty-ſix years before him, we may reaſonably conclude that the latter had acceſs to all the monuments conſulted by the former. Now Boëthius in his ſeventh book informs us that the records, which form the baſis of his annals, were ſent him in 1525 from Iona, a ſecluded iſle, of which the remote ſituation and ſuppoſed ſanctity were likely to preſerve ancient archives inviolate. At the overthrow of the Roman empire the greateſt part of what book-learning remained took ſhelter in monaſteries. In what place then, but in Iona, where may be ſeen the tombs of 48 Scottiſh, 8 Norwegian, and 4 Hibernian kings, ſhould we look for thoſe hiſtorical records, of which, as we learn from Buchanan and biſhop Leſley, the arrangement commenced under Ewen the Seventh as early at leaſt as the laſt year of the ſeventh century. Could Herodotus produce ſuch authorities for a variety of events recorded in his hiſtory? The tales of his nine muſes are chiefly traditional; and yet we find them repeated by his ſucceſſors in the hiſtorical career. How then was Boëthius to act? Ought he to have rejected the annals which, he ſays, were in his poſſeſſion, and that at a time when kings were not ſo cheap

as in our days, and when nations gloried in the antiquity of their royal families as their own? If he had made their ſtory as brief as Livy's account of the kings of Alba, the reader would have ſuſtained no great loſs, as their exploits are ſeldom either inſtructive or amuſing. But, as he has, upon the authority of his documents, detailed their hiſtory, Buchanan could no more ſuppreſs his narrative than Livy could paſs unnoticed the fable of the deſcent of the Romans from the Trojans; ſince it had been adopted by a variety of authors. Boëthius, it muſt be owned, was too credulous, and conſequently told ſome incredible ſtories. But is not Herodotus, is not Livy, chargeable with the ſame ſpecies of credulity? In his deſcription of Scotland he has, upon the faith of others, not bluſhed to mention gooſe-footed otters that could overturn mighty oaks with their ſteers, and Norwegian ſavages that could root up the talleſt firs with as much eaſe as ordinary mortals could pull up turneps. But in theſe inſtances his ſimplicity is not more laughable than theirs, when they tell us of Scythians who made their own bodies the graves of their ſuperannuated parents, and recount the prodigies of ſpeaking oxen, of ſhowers of blood, and whetſtones cut with a razor. Theſe incredibilities, however, do not in other matters affect their veracity.

Julius Ceſar and Dion Caſſius are accounted good hiſtorians, though they have both been credulous enough to relate that the ancient Britons forgot nature ſo far as to have their wives in common, and particularly brothers with brothers and parents with their children. Procopius tells us that there were no horſes in Britain, and that the natives could neither leap nor ride upon a horſe, but muſt, when ceremony in a foreign country obliged

obliged them to ride, be kept up and helped to diſmount by others; that, though on the ſouth ſide of the Roman wall every thing was paradiſiacal, the ſcene on the north preſented nothing but adders and vipers and other venomous creatures, and that no human being could live beyond it for half an hour, or rather, that in croſſing, life was extinguiſhed as if plunged into mephitick air; and that the iſland was the common habitation of departed ſouls, who were ferried thither by the fiſhermen on the neighbouring coaſts in half an hour, under the influence of unknown and myſterious powers that knocked at the doors of the ſeamen in the night, and by a kind of magical charm compelled them to riſe, to hoiſt their ſails and ply their oars, while all the time they ſaw nothing, but thought they heard in the murmur of indiſtinct ſounds the names of the paſſengers enumerated. Theſe fables, ridiculous as they are, did not deter Gibbon from abridging as genuine hiſtory this author's narrative of Beliſarius's exploits. Are not the facts recorded in the book of Numbers allowed to be authentick, though Balaam's aſs is there ſaid to have ſpoken with a human voice? Was any objection made to the teſtimony of Dr. Samuel Johnſon in the caſe of ſignor Baretti, though he believed in the ſecond ſight and in the exhibitions of the Cock-Lane Ghoſt? Since particular foibles then are not, in a court of juſtice, thought to invalidate a man's evidence in a caſe, of which his five ſenſes render him a competent judge, why ſhould a different ſpecies of proof be required in a court of criticiſm? Why ſhould Boëthius, who is declared by his friend and correſpondent Eraſmus to have been a man of exemplary probity and incapable of impoſition, not be treated with the ſame indulgence? From the preceding diſſertation it clearly appears that the

Scots

Scots exiſted in Scotland under other names from time immemorial, and that they poſſeſſed alphabetick writing. Muſt they not then, like other nations, have had kings or chiefs? If this queſtion be, as it muſt be, anſwered in the affirmative, why ſhould they not, like other nations, have preſerved the annals of their kings in verſe or in proſe? In fact they were, though now loſt, preſerved at Scoon, Paſley, Melroſe and in Iona, whence the Scottiſh hiſtorians derived the meagre chronicles which they have publiſhed. Becauſe the frequent emigration of one nation and the extirpation of another have prevented the exiſtence of ancient monuments on the continent, it does not follow that they might not exiſt in a more favourable ſituation. The great antiquity of the Indian annals might have taught the modern nations, who ſprung from the chaos of the Weſtern empire, more reſerve in denying the poſſibility of hiſtorical documents prior to their own.

Attention to fact too might have rendered their authors more ſparing in detailing Buchanan's meanneſs of condition and fortune and the duſt of a ſchool. For in what is the duſt of a ſchool inferiour to the duſt of the camp or of the bar? Is man ennobled more by cutting throats and deciding twopenny cauſes than by cultivating the human mind? Let experience decide. Without availing myſelf of Buchanan's name, let me aſk whether any profeſſion has bred men, who poſſeſſed greater ſtrength of mind or ſublimer conceptions than Homer, Plato, Ariſtotle, Seneca, Plutarch, Milton and numberleſs other ſchoolmaſters, or rather inſtructors and legiſlators of mankind? Statesmen make laws for ſingle communities, but writers for all mankind. Had Buchanan's conſtitution allowed him to continue the military career, which he

he once began, the ſpecimens of his epick and lyrick poetry, that remain, leave no room to doubt that, if the events of his life had directed the current of his thoughts that way, he would have been as great a favourite with the conqueror * of Italy as Oſſian. For, though in conſequence of early emigration he had in a great meaſure forgotten the Gallick, his native tongue, he had in its place acquired the Latin in as great perfection as Oſſian poſſeſſed the Celtick.

REMARK.

IN page 64 the name of Machiavel has by ſome miſtake crept into a paſſage, which repreſents Buchanan as the father of politicks in modern Europe, though he was poſterior to Machiavel in time. Notwithſtanding this circumſtance, Buchanan is juſtly entitled to that appellation; as Machiavel, though perhaps a friend to liberty, has only made remarks on thoſe parts of old or long eſtabliſhed ſyſtems, which he thought worthy of imitation. He has no where inveſtigated the principles of government or attempted any material improvement of any form. Buchanan has, on the contrary, entered ſo deeply into the ſubject, that nothing was left for his ſucceſſors but to give the public a minuter detail. Nor was he merely a ſpeculative politician. Having in early youth attacked ancient ſuperſtition in its moſt vulnerable

* It is to be regretted that Buonaparte's admiration of Oſſian did not induce him to copy his generoſity and high ſenſe of honour rather than the ferocity and treachery of the Homerick warriors.

part,

part, the body of the Franciſcans, he continued through life to be an oracle to the Scottiſh clergy, and particularly to his old pupil and their leader, the earl of Murray; and he may therefore be juſtly conſidered as the ſource of their republican form of eccleſiaſtical polity, as well as of the unalterable attachment to freedom, with which they inſpired the populace. The exiſtence of ſuch a luminary in the north rationally explains why the Scots got the ſtart of their ſouthern neighbours in the career of religious and civil liberty.

Hardly any of the ancients had juſt notions of the genuine principles of government. Plato, Ariſtotle, and their other politicians, framed conſtitutions fitted only for a ſmall and privileged claſs of people denominated citizens, the great body of the multitude being ſlaves; ſo that even their democracy was really an ariſtocracy. From the reaſoning contained in the fifth chapter of the firſt book of his politicks, Ariſtotle infers, "that by nature ſome are evidently freemen and ſome ſlaves, and that the intereſt of the latter, as well as juſtice, dictates their ſlavery." In another paſſage he tells us, that the poets thought their imaginary ſuperiority of intellect gave the Greeks a natural right to enſlave the barbarians, that is, all men but Greeks. From writers maintaining ſuch doctrines could we expect any ſyſtem of goverment but ſuch as might drop from the pen of a planter, compoſing a code of laws for Jamaica or Hiſpaniola, where the ſlaves exceed the freemen in a tenfold proportion?

GEORGE

GEORGE BUCHANAN

wiſhes much good Health

TO JAMES THE SIXTH,

KING OF THE SCOTS.

SEVERAL years ago, when publick affairs were in the greateſt confuſion, I wrote on the Prerogative of the Scottiſh Crown a Dialogue, in which I endeavoured to explain from their very cradle, if I may uſe the expreſſion, the mutual rights of our kings and of their ſubjects. Though that book ſeemed to have been ſerviceable at the time by ſhutting the mouths of certain perſons, who with importunate clamours rather inveighed againſt the exiſting ſtate of things than weighed what was right in the ſcale of reaſon, yet influenced by the return of a little tranquillity I alſo laid down my arms with pleaſure on the altar of publick concord. But having lately by accident lighted on this compoſition among my papers, and thought it interſperſed with many remarks neceſſary to a perſon raiſed like you to an eminence ſo intereſting to mankind, I have judged its publication expedient, that it might both teſtify my zeal for your ſervice and alſo remind you of your duty to the community. Many circumſtances alſo aſſure me that my endeavour on this occaſion will not be fruitleſs; eſpecially your age not yet corrupted by wrong opinions; and a genius above your years ſpontaneouſly urging you to every thing noble; and an eaſy flexibility in obeying not only your preceptors

but alſo all wiſe monitors; and that judgment and ſagacity in diſquiſition, which prevent you from allowing great weight to authority, when it is not ſupported by ſolid arguments. I ſee alſo that, by a kind of natural inſtinct, you ſo abhor flattery, the vile nurſe of tyranny and the very peſt of legal ſovereignty, that you hate the ſoleciſms and barbariſms of courtiers no leſs than they are reliſhed and affected by thoſe who in their own eyes appear connoiſſeurs in every ſpecies of elegance, and, as if they were delicate ſeaſonings to converſation, interlard every ſentence with Majeſties, Lordſhips, Excellencies, and, if it be poſſible, with other expreſſions of a ſtill more offenſive ſavour. Though you be at preſent ſecured from this errour, both by the goodneſs of your natural diſpoſition and by the inſtructions of your governors, yet I cannot help being ſomewhat afraid that the blandiſhments of that pander of vice, evil communication, ſhould give a wrong bias to a mind that is yet ſo pliant and tender; eſpecially as I am not ignorant with what facility our other ſenſes yield to ſeduction. This treatiſe, therefore, I have ſent you not only as a monitor, but alſo as an importunate and even impudent dun; that in this critical turn of life it may guide you beyond the rocks of flattery, and not only give you advice but alſo keep you in the road which you ſo happily entered, and, in caſe of any deviation, replace you in the line of your duty. If you obey its directions, you will enſure to yourſelf and to your family in the preſent life temporal tranquillity, and in the future eternal glory. Farewell.

At Stirling on the tenth of January in the year of the Chriſtian Era 1579.

A DIALOGUE

CONCERNING

The Rights of the Crown in Scotland,

TRANSLATED FROM THE

LATIN ORIGINAL OF GEORGE BUCHANAN.

WHEN, upon Thomas Maitland's return lately from the continent, I had queſtioned him minutely about the ſtate of affairs in France, I began, out of my attachment to his perſon, to recommend to him a perſeverance in that career to glory which he had ſo happily begun, and to inſpire him with the beſt hopes of the progreſs and reſult of his ſtudies. For, if I, with moderate talents, with hardly any fortune and in an illiterate age, had ſtill maintained ſuch a conflict with the iniquity of the times as to be thought to have achieved ſomething, aſſuredly thoſe, who were born in happier days and poſſeſs time, wealth and genius in abundance, ought not to be deterred from ſo honourable a purpoſe by its labour; and, when aided by ſo many reſources, cannot reaſonably yield to deſpair. They ſhould therefore proceed to uſe every effort in communicating ſplendour to literature, and in recommending themſelves and their countrymen to the notice of poſterity. If

they continued for a little their joint exertions, the conſequence would be, that they would eradicate from the minds of men an opinion, that in the frigid regions of the globe the learning, politeneſs and ingenuity of the inhabitants diminiſh in proportion to their diſtance from the ſun. For, though nature may have favoured the Africans, Egyptians, and moſt other nations with quicker conceptions and greater keenneſs of intellect, yet ſhe has been ſo unkind to no tribe as to have entirely precluded it from all acceſs to virtue and glory.

Here, when, according to his uſual modeſty, he had ſpoken of himſelf with diffidence, but of me with more affection than truth, the courſe of converſation at laſt led us ſo far, that, when he had queſtioned me concerning the convulſed ſtate of our country, and I had made him ſuch an anſwer as I thought calculated for the time, I began in my turn to aſk him what ſentiments either the French, or any ſtrangers that he met in France, entertained concerning Scottiſh affairs. For I had no doubt that the novelty of the events would, as is uſual, have furniſhed occaſion and matter for political diſcuſſions.

" Why," ſays he, " do you addreſs to me ſuch a queſtion? For, ſince you know the whole train of events, and are not unacquainted with what moſt people ſay and almoſt all think, you may eaſily conjecture, from the internal conviction of your own mind, what is, or at leaſt what ought to be, the opinion of all mankind."

B. But the more diſtant foreign nations are, and the fewer cauſes they have from that diſtance for anger, for hatred, for love and for other paſſions likely to make the mind ſwerve from truth, the more ingenuous and open they commonly are in judging, and the more freely they ſpeak what they think;

think; and this very freedom of ſpeech and mutual interchange of thought removes much obſcurity, diſentangles many knotty points, converts doubts into certainties, and may ſhut the mouths of the diſhoneſt and deſigning, and inſtruct the weak and unenlightened.

M. Would you have me be ingenuous in my anſwer?

B. Why not?

M. Though I was ſtrongly actuated by a deſire of reviſiting, after a long abſence, my country, my parents, my relations and friends, yet nothing inflamed this paſſion ſo much as the language of the untutored multitude. For, however firm I had thought the temper of my mind rendered either by the effects of habit or by the precepts of philoſophy, yet, when the event now under conſideration occurred, I could not, by ſome fatality, conceal its ſoftneſs and effeminacy. For, as the ſhocking enormity here lately exhibited was unanimouſly deteſted by all orders of men, and the perpetrator ſtill uncertain, the vulgar, always ſwayed rather by momentary impulſe than by ſound diſcretion, imputed the fault of a few to the many; and the common hatred to the miſdeed of private individuals ſo overwhelmed the whole nation, that even thoſe, who ſtood moſt remote from ſuſpicion, laboured under the infamy of other men's crimes. Therefore, till this ſtorm of calumny ſhould ſubſide into a calm, I readily took ſhelter in this port, where, however, I fear that I have ſtruck againſt a rock.

B. For what reaſon, I beſeech you?

M. Becauſe the minds of all men, being already heated, ſeem to me likely to be ſo much inflamed by the atrocity of the late crime as to leave no room for defenſe. For how can I reſiſt the attack

not

not only of the uninformed multitude, but even of thoſe who aſſume the character of politicians, while both will exclaim that our ferocious rage was not ſatiated by murderſing, with unparalleled cruelty, an innocent youth, but exhibited a new example of barbarity in the perſecution of women, a ſex that is ſpared even by hoſtile armies at the capture of cities? From what horrour, indeed, will any dignity or any majeſty deter men who are guilty of ſuch outrage to their princes? After theſe enormities, whom will juſtice, morality, law, reſpect for ſovereignty or reverence for legal magiſtracy, reſtrain through ſhame or check through fear? When the exerciſe of the ſupreme executive power is become the ridicule of the loweſt rabble, when trampling upon every diſtinction between right and wrong, between honour and diſhonour, men degenerate, almoſt by common conſent, into ſavage barbarity. To theſe and ſtill more atrocious charges I know that I ſhall be forced, upon my return to France, to liſten, as the ears of all have in the mean time been ſo thoroughly ſhut as to be ſuſceptible of no apology, nor even of a ſatisfactory defenſe.

B. But I will eaſily relieve you from this apprehenſion, and clear our nation from ſo falſe an imputation. For, if foreigners ſo heartily execrate the heinouſneſs of the antecedent crime, where is the propriety of reprobating the ſeverity of the ſubſequent puniſhment? Or, if they are vexed at the degradation of the queen, the former muſt neceſſarily meet with their approbation. Do you, therefore, chooſe to which of the two caſes you wiſh to attach guilt; for neither they nor you, if you mean to be conſiſtent, can either praiſe or diſpraiſe both.

M. The

M. The murder of the king I certainly deteſt and abominate, and am glad that the odium of conſcious guilt does not fall upon the publick, but is attributable to the villainy of a few deſperadoes. But the latter act I cannot either wholly approve or diſapprove. The detection by ſagacity and induſtry of the moſt nefarious deed mentioned in any hiſtory, and the vengeance awaiting the wicked perpetrators from open hoſtilities, appear to me glorious and memorable achievements. But with the degradation of the chief magiſtrate, and with the contempt brought upon the royal name, which has been among all nations conſtantly held ſacred and inviolable, I know not how all the nations of Europe will be affected, eſpecially thoſe that live under a regal government. As for myſelf, though not ignorant of the adverſe pretenſes and allegations, I feel violent emotions either from the magnitude or novelty of the event; and the more ſo that ſome of its authors are connected with me by the cloſeſt intimacy.

B. Now, methinks, I can nearly diſcern what it is that affects you, but not perhaps ſo much as it touches thoſe iniquitous eſtimators of other men's merit, to whom you think ſatisfaction is due. Of thoſe, who will violently condemn the forcible ſeiſure of the queen, I reckon three principal diviſions. One is peculiarly pernicious, as it comprehends the panders to the luſts of tyrants, wretches who think no act unjuſt or diſhonourable by which they conceive that kings may be gratified, and who meaſure every thing not by its intrinſick value, but by the paſſions of their maſters. Theſe are ſuch venal devotees to the deſires of another that they have retained freedom neither of ſpeech nor of action. From this band proceeded the banditti, who, without any cauſe of

of enmity, and merely with the hopes of preferment and power at court, ſacrificed, in the moſt cruel manner, an innocent youth to another's luſt. While theſe hypocrites pretend to lament the fate of the queen, and to ſigh and groan over her miſeries, they mean only to provide for their own ſecurity, and really grieve at ſeeing the enormous reward for their execrable villainy, which they had devoured in imagination, ſnatched out of their jaws. This ſort of people ought, therefore, in my opinion, to be chaſtiſed not ſo much by words as by the ſeverity of the laws and by the force of arms. Others look totally to their own affairs. Theſe, though in other reſpects by no means bad men, are not vexed, as they would wiſh us to think, at the injury done to the publick, but at their own domeſtick loſſes; and therefore ſeem to me to need conſolation rather than any remedy derivable from reaſon or from law. The remainder conſiſt of the rude and undiſtinguiſhing multitude, who wonder and gape at every novelty, who cenſure almoſt every occurrence, and think hardly any thing right but what is either their own act or what is done under their own eye. For every departure from the practice of their anceſtors they think a proportionate deviation from juſtice and equity. Theſe being ſwayed neither by malice nor by envy, nor by any regard to ſelf-intereſt, are generally ſuſceptible of inſtruction and of being reclaimed from errour, and commonly yield to the force of reaſoning and conviction; a truth of which we now have, and formerly often had, experience in the caſe of religion: for

> Where's the ſavage we to tame ſhould fear,
> If he to culture lend a patient ear?

M. That

M. That remark we have more than once found to be perfectly juſt.

B. What, if, in order to ſilence this multitude, you ſhould aſk the moſt clamorous and importunate their opinion concerning the fate of Caligula, of Nero and of Domitian; I preſume that none of them would be ſo ſervilely attached to the regal name as not to acknowledge that they were juſtly puniſhed?

M. Poſſibly what you ſay may be true. But the ſame perſons will immediately exclaim that they do not complain of the puniſhment of tyrants, but feel indignant at the undeſerved calamities of legal ſovereigns.

B. Do not you then ſee how eaſily the multitude may be pacified?

M. Not yet. The matter ſeems to require more elucidation.

B. I will, by a few words, make it intelligible. The vulgar, according to you, approve the murder of tyrants, but compaſſionate the ſufferings of kings. Do not you think then, that, if they ſhould clearly underſtand the difference between a tyrant and a king, it will be poſſible, in moſt particulars, to alter their opinion?

M. Were all to acknowledge the juſtice of killing tyrants, it would open a wide inlet for the diffuſion of light upon the ſubject. But ſome men there are, and thoſe of no contemptible authority, who, though they ſubject legal ſovereigns to penal laws, contend for the ſacredneſs of tyrants; and, though their deciſion is certainly in my opinion abſurd, yet they are ready to fight for their government, however extravagant and intolerable, as for their own altars and hearths.

B. I alſo have more than once met with various individuals, who obſtinately maintained the ſame

doctrine; but whether they were right or wrong we shall elsewhere more commodiously examine. In the mean time, if you will, let this point be taken for granted, upon condition that, if you do not afterwards find it sufficiently demonstrated, you may at pleasure resume the subject for discussion.

M. Upon these terms I have no objection.

B. We shall then establish it as an axiom that a king and a tyrant are contraries.

M. Be it so.

B. He then who has explained the origin and the causes of creating kings, and the duties of kings to their subjects and of subjects to their kings, must be allowed to have by the contrast nearly explained whatever relates to the nature of a tyrant.

M. I think so.

B. And when the picture of each is exhibited, do not you think that the people will also understand what is their duty to each?

M. Nothing is more likely.

B. But in things extremely dissimilar, and withal of the same general class, there may be certain similarities very apt to lead the inadvertent into errour.

M. That may indisputably be the case, and particularly when an inferiour character finds it easy to assume the appearance of a superiour, and studies nothing so much as to impose upon ignorance.

B. Have you in your mind any distinct picture of a king and a tyrant? for, if you have, you will ease me of much labour.

M. The figure of both, which I have in my mind, I could certainly delineate with ease; but it would appear to your eyes, I fear, rude and misshapen. Therefore, lest, by forcing you to rectify my errours, the conversation should exceed the due

due bounds, I chooſe rather to hear the ſentiments adopted by you, who have the advantage of me both in age and experience, and not only know the opinions of others, but have alſo viſited in perſon many ſtates, and noted their manners and cuſtoms.

B. That I ſhall do, and with pleaſure; nor ſhall I expound ſo much my own as the opinion of the ancients, that more weight and authority may accompany my words, as not being framed for the preſent occaſion, but extracted from the doctrines of thoſe who were entirely unconnected with this controverſy, and delivered their ſentiments with no leſs eloquence than brevity, without hatred, without favour or envy, for which they could not have the moſt diſtant motive; and I ſhall adopt principally the opinions not of thoſe who grew old in the ſhades of inactivity, but of men who were in well regulated ſtates diſtinguiſhed at home and abroad for wiſdom and virtue. But, before I produce their teſtimony, I wiſh to aſk you a few queſtions, that, when we have agreed upon ſome points of no ſmall importance, I may not be compelled to deviate from my intended courſe, and to dwell either upon the explanation or confirmation of matters that are evident and almoſt acknowledged truths.

M. Your plan I approve; and, therefore, if you have any queſtions to aſk, proceed.

B. Is it your opinion that there was a time when men lived in huts and even in caves, and ſtrolled at random, without laws, without ſettled habitations, like mere vagrants, uniting in herds as they were led by fancy and caprice, or invited by ſome convenience and common advantage?

M. That is certainly my firm belief; for it is not only conſonant to the order of nature but alſo ſanctioned by almoſt all the hiſtories of all nations. Of

that rude and uncultivated life we have from Homer's pen a picturesque description soon after the Trojan war among the Sicilians:

> By them no statute and no right was known,
> No council held, no monarch fills the throne;
> But high on hills or airy cliffs they dwell,
> Or deep in caverns or some rocky cell;
> Each rules his race, his neighbour not his care,
> Heedless of others, to his own severe.

At the same period, too, Italy is said to have been equally uncultivated; so that, from the state of the most fertile regions of the globe, it is easy to form a conjecture that the rest were nothing but wild and desolate wastes.

B. But which of the two do you think most conformable to nature; that vagrant and solitary life, or the social and unanimous assemblage of men?

M. Undoubtedly the unanimous assemblage of men, whom

> Utility herself, from whom on earth
> Justice and equity derive their birth,

first collected into masses and taught,

> Fenc'd by one wall and by one key and bar,
> From open'd gates to pour the tide of war.

B. What! do you imagine that utility was the first and principal cause of human union?

M. Why not? since the lesson inculcated by the greatest sages is, that men were made by nature for men.

B. To certain individuals, indeed, utility seems to have great influence, both in the formation and in the maintenance of society. But, if I am not mistaken, their assemblage claims a much higher origin,

origin, and the bond of their union is of a much earlier and more venerable date. For, if every individual were to pay attention only to his own intereſt, there is ground for ſuſpecting, I fear, that this very utility would rather diſſolve than unite ſociety.

M. That obſervation may perhaps be true. But I ſhould be glad to hear what is your other ſource of human aſſociation.

B. It is a certain innate propenſity, not only in men but alſo in other animals of the gentler tribes, to aſſociate readily, even without the allurements of utility, with beings of their own ſpecies. But of the brute creation it is not our preſent buſineſs to treat. Men we certainly find ſo deeply impreſſed and ſo forcibly ſwayed by this natural principle, that, if any of them were to enjoy in abundance every thing that is calculated either for the preſervation and health of the body or for the pleaſure and amuſement of the mind, he muſt, without human intercourſe, experience life to be a burden. This is ſuch a notorious truth, that even the perſons, who, from a love of ſcience and a deſire of inveſtigating truth, have retired from the buſtle of the world and lived recluſe in ſequeſtered retreats, have neither been able for a length of time to bear a perpetual exertion of mind, nor, upon diſcovering the neceſſity of relaxation, to remain immured in ſolitude; but readily produced the very reſult of their ſtudies; and, as if they had laboured for the common good, added the fruit of their labours to the common ſtock. Hence it is my opinion, that if any perſon be ſo attached to ſolitude as to ſhun and fly the ſociety of men, he is actuated rather by a diſeaſe of the mind than a principle of nature. Such, according to report, was Timon of Athens and Bellerophon of Corinth,

A wretch

A wretch, who, preying in corrosive pain
On his own vitals, roam'd th' Aleian plain
With comfortless and solitary pace,
Shunning the commerce of the human race.

M. Here our sentiments are not far from coincidence. But the term Nature, adopted by you, is an expression which from habit I often use rather than understand; and it is applied by others so variously and to such a multitude of objects that I am generally at a loss about the idea which it conveys.

B At present I certainly wish nothing else to be understood by it but the light infused into our minds by the divinity; for, since God created this dignified animal

Erect, of deeper reach of thought possest,
And fit to be the lord of all the rest,

he not only bestowed upon his body eyes, by whose guidance he might shun what is adverse, and pursue what is adapted to his condition, but also presented to his mind a kind of light by which he might distinguish vice and infamy from virtue and honour. This power some call nature, some the law of nature: I certainly hold it to be divine, and am thoroughly persuaded that

Nature's and Wisdom's voice are still the same.

Of this law, too, we have from God a kind of abridgement, comprehending the whole in a few words, when he commands us to love him with all our heart, and our neighbours as ourselves. The sacred volumes, in all the books which relate to the formation of our morals, contain hardly any thing else but an explanation of this law.

M. Do you then conceive that human society derives its origin not from any orator or lawyer that

that collected the diſperſed tribes of men, but from God himſelf?

B. That is poſitively my opinion; and, in the words of Cicero, I think that nothing done upon earth is more acceptable to the Sovereign Deity, that rules this world, than aſſemblages of men called ſtates, and united upon principles of juſtice. The different members of theſe ſtates politicians wiſh to have connected by ties ſimilar to the coherence ſubſiſting between all the limbs of our body, to be cemented by mutual good offices, to labour for the general intereſt, to repel dangers and ſecure advantages in common, and, by a reciprocation of benefits, to conciliate the affections of the whole community.

M. You do not then aſſign utility as the cauſe of men's union in ſociety, but the law implanted in our minds by God at our birth, which you hold to be a much higher and more divine origin?

B. I admit of utility as one cauſe, but not as the abſolute mother of juſtice and equity, as ſome would have her; but rather as their handmaid, and one of the guardians of a well regulated community.

M. Here alſo I have no difficulty in expreſſing my concurrence and aſſent.

B. Now as our bodies, which conſiſt of repugnant principles, are liable to diſeaſes, that is, to paſſions and certain internal commotions; ſo in like manner muſt thoſe larger bodies called ſtates, as they are compoſed of different and in ſome meaſure of incompatible ranks, conditions and diſpoſitions of men, and of men, too, ~~who~~

Who Cannot, with a fix'd and ſteady view,
Even for an hour a ſingle plan purſue.

Hence

Hence the latter muſt certainly, like the former, come to a ſpeedy diſſolution, unleſs their tumults are calmed by a kind of phyſician, who, adopting an equable and ſalutary temperament, braces the weaker parts by fomentations, checks the redundant humours, and provides for the ſeveral members, ſo that neither the feebler parts may waſte through want, nor the ſtronger grow too luxuriant through exceſs.

M. Theſe would be the conſequences that muſt inevitably enſue.

B. By what name ſhall we qualify him, who ſhall perform the part of phyſician to the body politick?

M. About the name I am not very anxious; but ſuch a perſonage, whatever his name may be, I hold to be of the firſt excellence and to have the ſtrongeſt reſemblance to the divinity. In this reſpect much forecaſt ſeems diſcovered in the wiſdom of our anceſtors, who diſtinguiſhed an office ſo honourable in its own nature by a very ſplendid name. For you mean, I ſuppoſe, a King, a term, of which the import is ſuch, that it renders a thing of the moſt excellent and tranſcendent nature almoſt viſible to our eyes.

B. You judge rightly, for by that appellation we addreſs the deity; ſince we have not a more magnificent title to expreſs the pre-eminence of his excellent nature, nor better adapted for expreſſing his paternal care and affection. Why ſhould I collect other words that are metaphorically uſed to ſignify the office of a king, ſuch as father, ſhepherd of the people, guide, prince and governour? The latent intention of all theſe expreſſions is to ſhow that kings were made not for themſelves but for the people. And, now that we ſeem agreed about

about the name, let us, if you pleaſe, diſcuſs the office, ſtill treading the path which we have hitherto purſued.

M. What path, I beſeech you?

B. You recollect what has been juſt ſaid, that ſtates have a great reſemblance to the human body, civil commotions to diſeaſes, and kings to phyſicians. If therefore we underſtand the buſineſs of a phyſician, we ſhall not be far, I preſume, from comprehending the duty of a king.

M. It may be ſo; for, by the comparative view which you have exhibited, they appear to have not only a great reſemblance, but even a ſtrong affinity.

B. Do not expect that I ſhould here diſcuſs every minute particular; for it is what is neither allowed by the limits of our time nor required by the nature of the ſubject. But, if I ſhow you that there is a ſtriking ſimilarity in the moſt prominent features, your own imagination will readily ſuggeſt what is omitted, and complete the picture.

M. Proceed, as you have begun.

B. Each ſeems alſo to have the ſame object in view.

M. What object?

B. The preſervation of the body committed to his care.

M. I underſtand. For one ought, as far as the nature of the caſe will admit, to maintain the human body, and the other the body politick, in a ſound ſtate; and, when they happen to be affected with a diſeaſe, to reſtore them to good health.

B. Your conception of the matter is juſt; for the office of each is twofold,—the maintenance of a ſound, and the recovery of a diſtempered conſtitution.

M. Such is my idea.

B. For in both caſes the diſeaſes are ſimilar.

M. So they ſeem.

B. For both are injured by a certain redundance of what is noxious, and by a deficiency of what is ſalutary; and they are both cured nearly by a ſimilar proceſs, either by nurſing or gently cheriſhing the body when emaciated, or relieving it when full and overburdened by the diſcharge of ſuperfluities, and by moderate exerciſe and labour.

M. Such is the fact. But there ſeems to be this difference, that in the one the humours, in the other the morals, muſt be duly tempered.

B. You are perfect maſter of the ſubject; for the body politick, like the natural, has its peculiar kind of temperament, which, I think, we may, with the greateſt propriety, denominate Juſtice; ſince it is ſhe that provides for its diſtinct members and makes them perform their duties with uniformity. Sometimes by the operation of bleeding, ſometimes by the diſcharge of noxious matter, ſhe, by a kind of evacuation, expels redundancies; ſometimes ſhe rouſes deſpondence and puſillanimity and adminiſters conſolation to diffidence, and reduces the whole body to the temper mentioned above, and exerciſes it, when thus reduced, by ſuitable labours; ſo that, by a regular and due intermixture of labour and reſt, ſhe preſerves, as far as the thing is poſſible, the renovated conſtitution.

M. To all your poſitions I would readily aſſent, had you not made juſtice the temperament of the body politick; for by its very name and profeſſion temperance ſeems rightfully entitled to that office.

B. I think it of no great moment on which of the two you confer this honour. For, as all the virtues, of which the energy is viſible in action, conſiſt in the obſervation of a due and uniform medium, they are ſo mutually interwoven and connected,

nected, that they ſeem all to have but one object, the moderation of the paſſions. Under whatever general head it may be claſſed, it is of little importance which of the two names you adopt; and yet that moderation, which is exerted in common affairs and in the ordinary commerce of life, may, in my opinion, be with the greateſt propriety denominated juſtice.

M. Here I have no difficulty in yielding my aſſent.

B. Now I imagine that the intention of the ancients in creating a king was, according to what we are told of bees in their hives, ſpontaneouſly to beſtow the ſovereignty on him who was moſt diſtinguiſhed among his countrymen for ſingular merit, and who ſeemed to ſurpaſs all his fellows in wiſdom and equity.

M. That is probably the fact.

B. But what muſt be done, if no ſuch perſon can be found in the community?

M. By the law of nature mentioned before an equal has neither the power nor right of aſſuming authority over his equals; for I think it but juſtice that among perſons in other reſpects equal the returns of command and obedience ſhould alſo be equal.

B. But, if the people, from a diſlike to an ambitious canvaſs every year, ſhould chooſe to elect as king an individual not poſſeſſed indeed of every regal virtue, but ſtill eminent for nobility, for wealth or military glory, may not he, with the greateſt juſtice, be deemed a king?

M. Undoubtedly; for the people have a right of inveſting whom they pleaſe with the ſovereign power.

B. Suppoſe that we ſhould employ for the cure of diſeaſes a man of conſiderable acuteneſs, but ſtill

not poſſeſſed of extraordinary ſkill in the medical art, muſt we directly upon his election by the generality conſider him as a phyſician?

M. By no means. For learning and experience in many arts, and not votes, conſtitute a phyſician.

B. What do you think of the artiſts in the other profeſſions?

M. I think that the ſame reaſoning is applicable to them all.

B. Do you believe that it requires any art to diſcharge the functions of a king?

M. Why ſhould I not?

B. Can you give any reaſon for your belief?

M. I think I can; and it is that which is peculiar to all the arts.

B. What reaſon do you mean?

M. All the arts certainly originated in experience. For, while moſt people proceeded at random and without method in the performance of many actions, which others completed with ſuperiour ſkill and addreſs, men of diſcernment, having remarked the reſult on both ſides and weighed the cauſes of theſe reſults, arranged ſeveral claſſes of precepts and called each claſs an art.

B. By the means therefore of ſimilar remarks, the art of ſovereignty may be deſcribed as well as that of medicine?

M. That I think poſſible.

B. On what precepts then muſt it be founded?

M. I am not prepared to give you a ſatisfactory anſwer.

B. Perhaps its compariſon with other arts may lead to its comprehenſion.

M. In what manner?

B. Thus. There are certain precepts peculiar to grammar, to medicine and to agriculture.

M. I

M. I comprehend.

B. May we not call theſe precepts of grammar and medicine alſo arts and laws, and ſo on in other caſes?

M. So I certainly think.

B. What do you think of the civil law? Is it not a ſyſtem of precepts calculated for ſovereigns?

M. So it ſeems.

B. Ought it not then to be underſtood by him who would be created a king?

M. The inference appears unavoidable.

B. What ſhall we then ſay of him who does not underſtand it? Do you conceive that, even after his nomination by the people, he ſhould not be called king?

M. Here you reduce me to a dilemma; for, to make my anſwer compatible with the preceding conceſſions, I muſt affirm that the ſuffrages of the people can no more make a king than any other artiſt.

B. What then do you think ought to be done in this caſe? For, if the perſon elected by common ſuffrage is not a king, I fear that we are not likely to have any legal ſovereign.

M. I alſo am not without the ſame fear.

B. Is it your pleaſure then that the poſition juſt laid down in comparing the arts ſhould be diſcuſſed with greater minuteneſs.

M. Be it ſo, if you think it neceſſary.

B. Did we not, in the ſeveral arts, call the precepts of the ſeveral artiſts laws?

M. We did.

B. But I fear that we did not then uſe ſufficient circumſpection.

M. Why ſo?

B. Becauſe it ſeems an abſurdity to ſuppoſe that he who underſtands any art ſhould not be an artiſt.

M. It

M. It is an abſurdity.

B. Ought we not therefore to conſider him, who can perform what belongs to art, an artiſt, whether it proceeds from the ſpontaneous impulſe of nature, or from an habitual facility acquired by a conſtant repetition of ſimilar acts?

M. I think ſo.

B. Him then, who poſſeſſes either the method or the ſkill to do any thing rightly, we may term an artiſt, if he has by practice acquired the requiſite power.

M. With more propriety, undoubtedly, than the other who underſtands only the bare precepts, without practice and experience.

B. The precepts then are not to be conſidered as the art?

M. By no means; but rather the ſemblance of art, or, more nearly ſtill, its ſhadow.

B. What then is that directing power in ſtates that we are to call either the art or ſcience of politicks?

M. I ſuppoſe that you mean the providential wiſdom, from which, as a fountain, all laws calculated for the benefit of human ſociety muſt flow.

B. You have hit the mark. Therefore, if any man ſhould poſſeſs this wiſdom in the higheſt degree of perfection, we might call him a king by nature, not by ſuffrage, and inveſt him with unlimited power? But, if no ſuch perſon can be found, we muſt be ſatisfied with the neareſt approach to this excellency of nature, and, in its poſſeſſor graſping a certain reſemblance of the deſired reality, call him king?

M. Let us honour him with that title, if you pleaſe.

B. And, becauſe there is reaſon to fear that he may not have ſufficient firmneſs of mind to reſiſt thoſe

thoſe affections which may, and often do, cauſe deviations from rectitude, we ſhall give him the additional aſſiſtance of law, as a collegue, or rather as a regulator of his paſſions.

M. It is not then your opinion that a king ſhould in all matters be inveſted with arbitrary power?

B. By no means; for I recollect that he is not only a king, but alſo a man erring much through ignorance, offending much through inclination and much almoſt againſt his will; as he is an animal readily yielding to every breath of favour or hatred. This imperfection of nature too is generally increaſed by the poſſeſſion of office; ſo that here, if any-where, I recogniſe the force of the ſentiment in the comedy, when it ſays, that "by unreſtrained authority we all become worſe." For this reaſon legiſlative ſages ſupplied their king with law, either to inſtruct his ignorance or to rectify his miſtakes. From theſe remarks you may, I preſume, conceive, as in a typical repreſentation, what my idea is of a genuine king's duty.

M. In whatever regards the creation of kings, their name and their office, you have given me entire ſatisfaction; and yet, if you wiſh to make any additions, I am ready to liſten. But, though my imagination hurries on with eagerneſs to the remainder of your diſcuſſion, one circumſtance, which through your whole diſcourſe gave me ſome offence, muſt not paſs in ſilence; and it is this, that you ſeemed to be a little too hard upon kings; an act of injuſtice of which I have before frequently ſuſpected you, when I heard the ancient republicks and the modern ſtate of Venice become in your mouth the ſubjects of extravagant encomiums.

B. In this caſe you did not form a juſt idea of my ſentiments; for among the Romans, the Maſſilians,

ſilians, the Venetians, and others who held the directions of the laws to be more ſacred than the commands of their kings, it is not ſo much the diverſity as the equity of their civil adminiſtration that I admire; nor do I think it of much conſequence whether the ſupreme magiſtrate be called king, duke, emperor or conſul, if it be obſerved as an invariable maxim that it was for the expreſs purpoſe of maintaining juſtice and equity that he was inveſted with the magiſtracy. For, if the plan of government be founded on law, there is no juſt reaſon for diſputing about its name. The perſon, whom we call the Doge of Venice, is nothing elſe but a legal ſovereign; and the firſt Roman Conſuls retained not only the enſigns but alſo the powers of the ancient kings. The only difference was, that, as, to your knowledge, was the caſe with the perpetual kings of the Lacedemonians, the preſiding magiſtrates were two, and eſtabliſhed not for a perpetuity but for a ſingle year. Hence we muſt ſtill adhere ſteadily to what was aſſerted at the commencement, that kings were at firſt conſtituted for the maintenance of juſtice and equity. Had they been able to abide inviolably by this rule, they might have ſecured perpetual poſſeſſion of the ſovereignty, ſuch as they had received it, that is, free and unſhackled by laws. But, as the ſtate of human affairs has, according to the uſual progreſs of every created exiſtence, a conſtant tendency to deterioration, regal government, which was originally inſtituted for the purpoſes of publick utility, degenerated gradually into impotent tyranny. For, when kings obſerved no laws but their capricious paſſions, and finding their power uncircumſcribed and immoderate, ſet no bounds to their luſts, and were ſwayed much by favour, much by hatred, and much by private intereſt; their domineering inſo-

lence

lence excited an univerſal deſire for laws. On this account ſtatutes were enacted by the people, and kings were in their judicial deciſions obliged to adopt not what their own licentious fancies dictated but what the laws ſanctioned by the people ordained. For they had been taught by many experiments, that it was much ſafer to truſt their liberties to laws than to kings; ſince many cauſes might induce the latter to deviate from rectitude; and the former, being equally deaf to prayers and to threats, always maintained an even and invariable tenour. Kings being accordingly left in other reſpects free found their power confined to preſcribed limits only by the neceſſity of ſquaring their words and actions by the directions of law, and by inflicting puniſhments and beſtowing rewards, the two ſtrongeſt ties of human ſociety, according to its ordinances; ſo that, in conformity to the expreſſions of a diſtinguiſhed adept in political ſcience, a king became a ſpeaking law, and law a dumb king.

M. At the firſt outſet of your diſcourſe you were ſo laviſh in praiſe of kings, that the veneration due to their auguſt majeſty ſeemed to render them almoſt ſacred and inviolable. But now, as if actuated by repentance, you confine them to narrow bounds, and thruſt them, as it were, into the cells of law, ſo as not to leave them even the common freedoms of ſpeech. Me you have egregiouſly diſappointed; for I was in great hopes that, in the progreſs of your diſcourſe, you would, either of your own accord or at my ſuggeſtion, reſtore what an illuſtrious hiſtorian calls the moſt glorious ſpectacle in the eyes of gods and men to its original ſplendour: but by ſpoiling of every ornament, and circumſcribing within a cloſe priſon, the magiſtracy firſt known in the world, you have ſo

debaſed it, that to any perſon in his ſober ſenſes it muſt be an object of contempt rather than of deſire. For can there be a man, whoſe brain is not deranged, that would not chooſe rather to reſt ſatisfied with a moderate fortune in a private ſtation, than, while he is intent upon other men's buſineſs and inattentive to his own, to be obliged, in the midſt of perpetual vexations, to regulate the whole courſe of his life by the caprice of the multitude? Hence, if it be propoſed that this ſhould everywhere be the condition of royalty, I fear that there will ſoon be a greater ſcarcity of kings than in the firſt infancy of our religion there was of biſhops. Indeed, if this be the criterion by which we are to eſtimate kings, I am not ſurpriſed that the perſons, who formerly accepted of ſuch an illuſtrious dignity, were found only among ſhepherds and ploughmen.

B. Mark, I beſeech you, the egregious miſtake which you commit, in ſuppoſing that nations created kings not for the maintenance of juſtice, but for the enjoyment of pleaſure. Conſider how much by this plan you retrench and narrow their greatneſs. And, that you may the more eaſily comprehend what I mean, compare any of the kings whom you have ſeen, and whoſe reſemblance you wiſh to find in the king that I deſcribe, when he appears at his levee dreſſed, for idle ſhow, like a girl's doll, in all the colours of the rainbow, and ſurrounded with vaſt parade by an immenſe crowd; compare, I ſay, any of theſe with the renowned princes of antiquity, whoſe memory ſtill lives and flouriſhes, and will be celebrated among the lateſt poſterity, and you will perceive that they were the originals of the picture that I have juſt ſketched. Have you never heard in converſation that Philip of Macedon upon anſwering an old woman, that begged

begged of him to inquire into a grievance of which ſhe complained, "That he was not at leiſure," and upon receiving this reply, "Ceaſe then to be a king;"—have you heard, I ſay, that this king, the conqueror of ſo many ſtates, and the lord of ſo many nations, when reminded of his functions by a poor old woman, complied and recogniſed the official duty of a king? Compare this Philip, then, not only with the greateſt kings that now exiſt in Europe, but alſo with the moſt renowned in ancient ſtory; and you will find none his match in prudence, fortitude, and patience of labour, and few his equals in extent of dominion. Leonidas, Ageſilaus, and other Spartan kings, all great men, I forbear to mention, leſt I ſhould be thought to produce obſolete examples. One ſaying, however, of Gorgo, a Spartan maid, and the daughter of king Cleomedes, I cannot paſs unnoticed. Seeing his ſlave pulling off the ſlippers of an Aſiatick gueſt, ſhe exclaimed, in running up to her father, "Father, your gueſt has no hands." From theſe expreſſions you may eaſily form an eſtimate of the whole diſcipline of Sparta, and of the domeſtick economy of its kings. Yet to this ruſtick, but manly, diſcipline, we owe our preſent acquiſitions, ſuch as they are; while the Aſiatick ſchool has only furniſhed ſluggards, by whom the faireſt inheritance, the fruit of anceſtral virtue, has been loſt through luxury and effeminacy. And, without mentioning the ancients, ſuch not long ago among the Gallicians was Pelagius, who gave the firſt ſhock to the power of the Saracens in Spain. Though

Beneath one humble roof, their common ſhade,
His ſheep, his ſhepherds, and his gods were laid;

yet the Spaniſh kings are ſo far from being aſhamed of him, that they reckon it their greateſt glory to find their branch of the genealogick tree terminate in his trunk. But, as this topick requires a more ample diſcuſſion, let us return to the point, at which the digreſſion began. For I wiſh, with all poſſible ſpeed, to evince what I firſt promiſed, that this repreſentation of royalty is not a fiction of my brain, but its expreſs image, as conceived by the moſt illuſtrious ſtateſmen in all ages; and, therefore, I ſhall briefly enumerate the originals from which it has been copied. Marcus Tullius Cicero's volume concerning Moral Duties is in univerſal eſteem, and in the ſecond book of it you will find theſe expreſſions. "In my opinion, not only the Medes, as Herodotus ſays, but alſo our anceſtors, ſelected men of good morals as kings, for the purpoſe of enjoying the benefit of juſtice. For, when the needy multitude happened to be oppreſſed by the wealthy, they had recourſe to ſome perſon of eminent merit, who might ſecure the weak from injury, and, with a ſteady arm, hold the balance of law even between the high and low. And the ſame cauſe, which rendered kings neceſſary, occaſioned the inſtitution of laws. For the conſtant object of purſuit was uniform juſtice, ſince otherwiſe it would not be juſtice. When this advantage could be derived from one juſt and good man, they were ſatisfied; but when that was not the caſe, they enacted laws, that ſhould at all times, and to all perſons, ſpeak the ſame language. Hence the deduction is evident, that thoſe were uſually ſelected for ſupreme magiſtrates of whoſe juſtice the multitude entertained a high opinion; and, if beſides they had the additional recommendation of wiſdom, there was nothing which they thought themſelves incapable

pable of acquiring under their auſpices." From theſe words you underſtand, I preſume, what, in Cicero's opinion, induced nations to wiſh both for kings and for laws. Here I might recommend to your peruſal the works of Xenophon, who was no leſs diſtinguiſhed for military achievements than for attachment to philoſophy, did I not know your familiarity with him to be ſuch that you can repeat almoſt all his ſentences. Of Plato, however, and Ariſtotle, though I know how much you prize their opinions, I ſay nothing at preſent; becauſe I chooſe rather to have men illuſtrious for real action, than for their name in the ſhades of academies, for my auxiliaries. The ſtoical king, ſuch as he is deſcribed by Seneca in his Thyeſtes, I am ſtill leſs diſpoſed to offer to your conſideration, not ſo much becauſe he is not a perfect image of a good king, as becauſe that pattern of a good prince is ſolely an ideal conception of the mind calculated for admiration rather than a well-grounded hope ever likely to be gratified. Beſides, that there might be no room for malevolent inſinuations againſt the examples which I have produced, I have not travelled into the deſert of the Scythians for men who either curried their own horſes or performed any other ſervile work incompatible with our manners, but into the heart of Greece, and for thoſe men who, at the very time when the Greeks were moſt diſtinguiſhed for the liberal and polite arts, preſided over the greateſt nations and the beſt regulated communities, and preſided over them in ſuch a manner, that, when alive, they acquired the higheſt veneration among their countrymen, and left, when dead, their memory glorious to poſterity.

M. Here, if you ſhould inſiſt upon a declaration of my ſentiments, I muſt ſay that I dare hardly confeſs

confeſs either my inconſiſtency, or timidity, or other anonymous mental infirmity. For, whenever I read in the moſt excellent hiſtorians the paſſages which you have either quoted or indicated, or hear their doctrines commended by ſages whoſe authority I have not the confidence to queſtion, and praiſed by all good men, they appear to me not only true, juſt, and ſound, but even noble and ſplendid. Again, when I direct my eye to the elegancies and niceties of our times, the ſanctity and ſobriety of the ancients ſeem rather uncouth and deſtitute of the requiſite poliſh. But this ſubject we may, perhaps, diſcuſs ſome other time at our leiſure. Now proceed, if you pleaſe, to finiſh the plan which you have begun.

B. Will you allow me then to make a brief abſtract of what has been ſaid? Thus we ſhall beſt gain a ſimultaneous view of what has paſſed, and have it it our power to retract any inconſiderate or raſh conceſſion.

M. By all means.

B. Firſt of all, then, we aſcertained that the human ſpecies was, by nature, made for ſociety, and for living in a community?

M. We did ſo.

B. We alſo agreed that a king, for being a man of conſummate virtue, was choſen as a guardian to the ſociety?

M. That is true.

B. And, as the mutual quarrels of the people had introduced the neceſſity of creating kings, ſo the injuries done by kings to their ſubjects occaſioned the deſire of laws?

M. I own it.

B. Laws, therefore, we judged a ſpecimen of the regal art, as the precepts of medicine are of the medical art?

M. We

M. We did ſo.

B. As we could not allow to either a ſingular and exact knowledge of his art, we judged it ſafer that each ſhould, in his method of cure, follow the preſcribed rules of his art, than act at random?

M. It is ſafer undoubtedly.

B. But the precepts of the medical art ſeemed not of one ſingle kind.

M. How?

B. Some we found calculated for preſerving, and others for reſtoring health.

M. The diviſion is juſt.

B. How is it with the regal art?

M. It contains, I think, as many ſpecies.

B. The next point to be conſidered is, what anſwer ought to be given to the following queſtion—"Can you think that phyſicians are ſo thoroughly acquainted with all diſeaſes and their remedies that nothing farther can be deſired for their cure?"

M. By no means. For many new kinds of diſeaſes ſtart up almoſt every age; and likewiſe new remedies for each are, almoſt every year, either diſcovered by the induſtry of men or imported from diſtant regions.

B. What do you think of the civil laws of ſociety?

M. They ſeem, in their nature, to be ſimilar, if not the ſame.

B. The written precepts of their arts then will not enable either phyſicians or kings to prevent or to cure all the diſeaſes of individuals or of communities.

M. I deem the thing impoſſible.

B. Why then ſhould we not inveſtigate as well the articles which can, as thoſe which cannot, come within the purview of laws?

M. Our labour will not be fruitleſs.

B. The

B. The matters which it is impoſſible to comprehend within laws ſeem to me numerous and important; and firſt of all comes whatever admits of deliberation concerning the future.

M. That is certainly one head of exception.

B. The next is a multitude of paſt events; ſuch as thoſe where truth is inveſtigated by conjectures, or confirmed by witneſſes, or wrung from criminals by tortures.

M. Nothing can be clearer.

B. In elucidating theſe queſtions then, what will be the duty of a king?

M. Here I think that there is no great occaſion for long diſcuſſion, ſince in what regards proviſion for the future kings are ſo far from arrogating ſupreme power, that they readily invite to their aſſiſtance counſel learned in the law.

B. What do you think of matters which are collected from conjectures or cleared up by witneſſes, ſuch as are the crimes of murder, of adultery, and impriſonment?

M. Theſe points, after they have been diſcuſſed by the ingenuity and cleared up by the addreſs of lawyers, I ſee generally left to the determination of judges.

B. And perhaps with propriety; for if the king ſhould take it into his head to hear the cauſes of individuals, when will he have leiſure to think of war, of peace, and of thoſe important affairs which involve the ſafety and exiſtence of the community? When, in a word, will he have time to recruit nature by doing nothing.

M. The cogniſance of every queſtion I do not wiſh to ſee devolved upon the king alone; becauſe, if it were devolved, he, a ſingle man, would never be equal to the taſk of canvaſſing all the cauſes of all his ſubjects. I therefore highly approve

prove the advice no leſs wiſe than neceſſary given to Moſes by his father-in-law, "To divide among numbers the burden of judicature;" upon which I forbear to enlarge, becauſe the ſtory is univerſally known.

B. But even theſe judges, I ſuppoſe, are to adminiſter juſtice according to the directions of the laws?

M. They are undoubtedly. But, from what you have ſaid, I ſee that there are but few things for which the laws can, in compariſon of thoſe for which they cannot, provide.

B. There is another additional difficulty of no leſs magnitude, that all the caſes, for which laws may be enacted, cannot be compriſed within any preſcribed and determinate form of words.

M. How ſo?

B. The lawyers, who greatly magnify their art, and would be thought the high prieſts of juſtice, allege, That the multitude of caſes is ſo great, that they may be deemed almoſt infinite, and that every day there ariſe in ſtates new crimes, like new kinds of ulcers. What is to be done here by the legiſlator, who muſt adapt his laws to what is preſent and paſt?

M. Not much, if he ſhould not be ſome divinity dropt from heaven.

B. To theſe inconveniences add another, and that no ſmall, difficulty, that, from the great mutability of human affairs, hardly any art can furniſh precepts that ought to be univerſally permanent and invariably applicable.

M. Nothing can be truer.

B. The ſafeſt plan then ſeems to be, to entruſt a ſkilful phyſician with the health of his patient, and a king with the preſervation of his people: for

the phyſician, by venturing beyond the rules of his art, will often cure the diſeaſed, either with their conſent, or ſometimes againſt their will; and the king will impoſe a new but ſtill a ſalutary law upon his ſubjects by perſuaſion or even by compulſion.

M. I ſee no obſtacle that can prevent him.

B. When both are engaged in theſe acts, do they not ſeem each to exert a vigour beyond his own law?

M. To me each appears to adhere to his art. For it was one of our preliminary poſitions, that it is not precepts that conſtitute art, but the mental powers employed by the artiſt in treating the ſubject matter of art. At one thing, however, if you really ſpeak from your heart, I am in raptures—that, compelled by a kind of injunction from truth, you reſtored kings to the dignified rank from which they had been violently degraded.

B. Come not ſo haſtily to a concluſion; for you have not yet heard all. The empire of law is attended with another inconvenience. For the law, like an obſtinate and unſkilful taſkmaſter, thinks nothing right but what itſelf commands; while a king may perhaps excuſe weakneſs and temerity, and find reaſon to pardon even detected errour. Law is deaf, unfeeling, and inexorable. A youth may allege the ſlippery ground, which he treads, as the cauſe of his fall, and a woman the infirmity of her ſex; one may plead poverty, a ſecond drunkenneſs, and a third friendſhip. To all theſe ſubterfuges what does the law ſay? Go, executioner, chain his hands, cover his head, and hang him, when ſcourged, upon the accurſed tree. Now, you cannot be ignorant how dangerous it is, in the midſt of ſo much human frailty, to depend for ſafety on innocence alone.

M. What

M. What you mention is undoubtedly pregnant with danger.

B. I obſerve, that, on recollecting theſe circumſtances, certain perſons are ſomewhat alarmed.

M. Somewhat! do you ſay?

B. Hence, when I carefully revolve in my own mind the preceding poſitions, I fear that my compariſon of a phyſician and a king may, in this particular, appear to have been improperly introduced.

M. In what particular?

B. In releaſing both from all bondage to precepts, and in leaving them the power of curing at their will.

M. What do you find here moſt offenſive?

B. When you have heard me, I ſhall leave yourſelf to judge. For the inexpedience of exempting kings from the ſhackles of laws we aſſigned two cauſes, love and hatred, which, in judging, lead the minds of men aſtray. In the caſe of a phyſician, there is no reaſon to fear that he ſhould act amiſs through love, as from reſtoring the health of his patient he may even expect a reward. And again, if a ſick perſon ſhould ſuſpect that his phyſician is ſolicited by prayers, promiſes, and bribes, to aim at his life, he will be at liberty to call in another; or, if another be not within his reach, he will naturally have recourſe for a remedy to dumb books, rather than to a bribed member of the faculty. As to our complaint concerning the inflexible nature of laws, we ought to conſider whether it is not chargeable with inconſiſtency.

M. In what manner?

B. A king of ſuperiour excellence, ſuch as is viſible rather to the mind than to the eye, we thought proper to ſubject to no law.

M. To none.

B. For what reaſon?

M. Becauſe, I ſuppoſe, he would, according to the words of Paul, be a law to himſelf and to others; as his life would be a juſt expreſſion of what the law ordains.

B. Your judgement is correct; and, what may perhaps ſurpriſe you, ſome ages before Paul the ſame diſcovery had been made by Ariſtotle through the mere light of nature. This remark I make ſolely for the purpoſe of ſhowing the more clearly that the voice of God and of Nature is the ſame. But, that we may complete the plan which has been ſketched, will you tell me what object the original founders of laws had principally in view?

M. Equity, I preſume, as was before obſerved.

B. What I now inquire is not what end, but rather what pattern, they kept before their eyes.

M. Though, perhaps, I underſtand your meaning, yet I wiſh to hear it explained, that, if I am right, you may corroborate my opinion; and, if not, that you may correct my errour.

B. You know, I apprehend, the nature of the mind's power over the body.

M. Some conception of it I can certainly form.

B. You muſt alſo know, that of whatever is not thoughtleſsly done by men they have previouſly a certain picture in their mind, and that it is far more perfect than the works which even the greateſt artiſts faſhion and expreſs by that model.

M. Of the truth of that obſervation I have myſelf, both in ſpeaking and writing, frequently an experimental proof; for I am ſenſible that my words are no leſs inadequate to my thoughts than my thoughts to their objects. For neither can our mind, when confined in this dark and turbid priſon of the body, clearly diſcern the ſubtile eſſence of all things; nor can we, by language, convey

convey to others our ideas, however preconceived, ſo as not to be greatly inferiour to thoſe formed by our own intellects.

B. What then ſhall we ſay was the object of legiſlators in their inſtitutions?

M. Your meaning I think myſelf not far from comprehending; and, if I miſtake not, it is that they called to their aid the picture of a perfect king; and by it expreſſed the figure, not of his perſon, but of his thoughts, and ordered that to be law which he ſhould deem good and equitable.

B. Your conception of the matter is juſt; for that is the very ſentiment which I meant to communicate. Now I wiſh that you would conſider what were the qualities which we originally gave to our ideal king. Did we not ſuppoſe him unmoved by love, by hatred, by anger, by envy, and by the other paſſions?

M. Such we certainly made his effigy, or even believed him to have actually been in the days of ancient virtue.

B. But do not the laws ſeem to have been, in ſome meaſure, framed according to his image?

M. Nothing is more likely.

B. A good king then will be no leſs unfeeling and inexorable than a good law.

M. He will be equally relentleſs; and yet, though I neither can effect, nor ought to deſire, a change in either, I may ſtill wiſh, if it be poſſible, to render both a little flexible.

B. But in judicial proceedings God does not deſire us to pity even the poor, but commands us to look ſolely to what is right and equitable, and according to that rule alone to pronounce ſentence.

M. I acknowledge the ſoundneſs of the doctrine, and ſubmit to the force of truth. Since then we muſt not exempt the king from a dependence on law,

law, who is to be the legiſlator that we are to give him as an inſtructor?

B. Whom do you think moſt fit for the ſuperintendence of this office?

M. If you aſk my opinion, I anſwer the king himſelf. For in moſt other arts the artiſts themſelves deliver the precepts, which ſerve as memorandums to aid their own recollection, and to remind others of their duty.

B. I, on the contrary, can ſee no difference between leaving a king free and at large, and granting him the power of enacting laws; as no man will ſpontaneouſly put on ſhackles. Indeed I know not whether it is not better to leave him quite looſe, than to vex him with unavailing chains which he may ſhake off at pleaſure.

M. But, ſince you truſt the helm of ſtate to laws rather than to kings, take care, I beſeech you, that you do not ſubject the perſon, whom you verbally term king, to a tyrant

> With chains and jails his actions to controul,
> And thwart each liberal purpoſe of his ſoul;

and that you do not expoſe him, when loaded with fetters, to the indignity of toiling with ſlaves in the field, or with malefactors in the houſe of correction.

B. Forbear harſh words, I pray; for I ſubject him to no maſter, but deſire that the people, from whom he derived his power, ſhould have the liberty of preſcribing its bounds; and I require that he ſhould exerciſe over the people only thoſe rights which he has received from their hands. Nor do I wiſh, as you conceive, to impoſe theſe laws upon him by force; but declare it as my opinion, that, after an interchange of counſels with the king, the community

community ſhould make that a general ſtatute which is conducive to the general good.

M. Would you then aſſign this province to the people?

B. To the people undoubtedly, if you ſhould not chance to alter my opinion.

M. Nothing, in my conception, can be more improper.

B. For what reaſon?

M. You know the proverb, "the people is a monſter of many heads." You are ſenſible, undoubtedly, of their great raſhneſs and great inconſtancy.

B. It was never my idea that this buſineſs ſhould be left to the ſole deciſion of all the people; but that, nearly in conformity to our practice, repreſentatives ſelected from all orders ſhould aſſemble as council to the king, and that, when they had previouſly diſcuſſed and paſſed a conditional act, it ſhould be ultimately referred to the people for their ſanction.

M. Your plan I perfectly underſtand; but I think that you gain nothing by your circumſpective caution. You do not chooſe to leave a king above the laws. And for what? Becauſe there are in human nature two ſavage monſters, cupidity and iraſcibility, that wage perpetual war with reaſon. Laws, therefore, become an object of deſire, that they might check their licentiouſneſs, and reclaim their exceſſive extravagance to a due reſpect for legal authority. What purpoſe does it anſwer to aſſign him theſe counſellors ſelected from the people? Are they not equally the victims of the ſame inteſtine war? Do they not ſuffer as much as kings from the ſame evils? Therefore, the more aſſeſſors you attach to a king, the greater will be the

the number of fools; and what is to be expected from them is obvious.

B. What you imagine is totally different from the reſult which I expect; and, why I expect it, I will now unfold. Firſt of all, it is not abſolutely true, as you ſuppoſe, that there is no advantage in a multitude of counſellors, though none of them, perhaps, ſhould be a man of eminent wiſdom. For numbers of men not only ſee farther, and with more diſcriminating eyes than any one of them ſeparately, but alſo than any man that ſurpaſſes any ſingle individual among them in underſtanding and ſagacity. For individuals poſſeſs certain portions of the virtues, which, being accumulated into one maſs, conſtitute one tranſcendent virtue. In medical preparations, and particularly in the antidote called Mithridatick, this truth is evident; for though moſt of its ingredients are ſeparately noxious, they afford, when mixed, a ſovereign remedy againſt poiſons. After a ſimilar manner, ſlowneſs and heſitation prove injurious in ſome men, as precipitate raſhneſs does in others; but diffuſed among a multitude, they yield a certain temperament, or that golden mean, for which we look in every ſpecies of virtue.

M. Well, ſince you preſs the matter, let the people have the right of propoſing and of enacting laws, and let kings be in ſome meaſure only keepers of the records. Yet when theſe laws ſhall happen to be contradictory, or to contain clauſes indiſtinctly or obſcurely worded, is the king to act no part? eſpecially ſince, if you inſiſt upon the ſtrict interpretation of them according to the written letter, many abſurdities muſt inevitably enſue? And here, if I produce as an example the hackneyed law of the ſchools, "If a ſtranger mount the

the wall, let him forfeit his head," what can be more abſurd than that a country's ſaviour, the man who overturned the enemies on their ſcaling-ladders, ſhould himſelf be dragged as a criminal to execution?

M. You approve then of the old ſaying, "The extremity of law is the extremity of injuſtice."

B. I certainly do.

M. If any queſtion of this kind ſhould come into a court of juſtice, a neceſſity ariſes for a merciful interpreter to mitigate the ſeverity of the law, and to prevent what was intended for the general good from proving ruinous to worthy and innocent men.

B. Your ſentiments are juſt; and, if you had been ſufficiently attentive, you would have perceived that in the whole of this diſquiſition I have aimed at nothing elſe but at preſerving ſacred and inviolate Cicero's maxim—"Let the ſafety of the people be the ſupreme law." Therefore, if any caſe ſhould occur in a court of juſtice of ſuch a complexion, that there can be no queſtion about what is good and equitable, it will be part of the king's proſpective duty to ſee the law ſquared by the fore-mentioned rule. But youſeem to me, in the name of kings, to demand more than what the moſt imperious of them ever arrogate. For you know that, when the law ſeems to dictate one thing, and its author to have meant another, ſuch queſtions, as well as controverſies grounded upon ambiguous or contradictory laws, are generally referred to the judges. Hence ariſe the numerous caſes ſolemnly argued by grave counſellors at the bar, and the minute precepts applicable to them in the works of ingenious rhetoricians.

M. I know what you aſſert to be fact. But I think that, in this point, no leſs injury is done to the laws than to kings. For I judge it better, by the immediate deciſion of one good man, to end a ſuit, than to allow ingenious and ſometimes knaviſh caſuiſts the power of obſcuring rather than of explaining the law. For, while the barriſters contend not only for the cauſe of their clients, but alſo for the glory of ingenuity, diſcord is in the mean time cheriſhed, religion and irreligion, right and wrong, are confounded; and what we deny to a king we grant to perſons of inferiour rank, leſs ſtudious, in general, of truth than of litigation.

B. You have forgotten, I ſuſpect, a point, which we juſt now aſcertained.

M. What may that be?

B. That to the perfect king, whom we at firſt delineated, ſuch unlimited power ought to be granted, that he can have no occaſion for any laws; but that, when this honour is conferred on one of the multitude, not greatly ſuperiour, and perhaps even inferiour to others, it is dangerous to leave him at large and unfettered by laws.

M. But what is all this to the interpretation of the laws?

B. A great deal, you would find, had you not overlooked a material circumſtance, that now we reſtore in other words to the king what we had before denied him, the undefined and immoderate power of acting at pleaſure, and of unhinging and deranging every thing.

M. If I am guilty of any ſuch thing, it is the guilt of inadvertence.

B. I ſhall therefore endeavour to expreſs my ideas more perſpicuouſly, that there may be no miſconception.

tion. When you grant to the king the interpretation of the law, you allow him the power of making the law ſpeak, not what the legiſlator intends, or what is for the general good of the community, but what is for the advantage of the interpreter, and, for his own intereſt, of ſquaring all proceedings by it as by an unerring rule. Appius Claudius had in his decemvirate enacted a very equitable law, "That in a litigation concerning freedom the claim of freedom ſhould be favoured." What language could be clearer? But the very author of this law, by his interpretation, made it uſeleſs. You ſee, I preſume, how much you contribute in one line to the licentiouſneſs of your king, by enabling him to make the law utter what he wiſhes, and not utter what he does not wiſh. If this doctrine be once admitted, it will avail nothing to paſs good laws to remind a good king of his duty, and to confine a bad one within due bounds. Nay (for I will ſpeak my ſentiments openly and without diſguiſe), it would be better to have no laws at all, than, under the cloak of law, to tolerate unreſtrained and even honourable robbery.

M. Do you imagine that any king will be ſo impudent as to pay no regard to his reputation and character among the people, or ſo forgetful of himſelf and of his family as to degenerate into the depravity of thoſe whom he overawes and coerces by ignominy, by priſon, by confiſcation of goods, and by the heavieſt puniſhments?

B. Let us not believe ſuch events poſſible, if they are not already hiſtorical facts, known by the unſpeakable miſchiefs which they have occaſioned to the whole world.

M. Where, I beſeech you, are theſe facts to be traced?

 B. Where!

B. Where! do you aſk? As if all the European nations had not only ſeen, but alſo felt the incalculable miſchiefs done to humanity by, I will not ſay, the immoderate power, but by the unbridled licentiouſneſs of the Roman pontiff. From what moderate and apparently honourable motives it firſt aroſe, with what little ground for apprehenſion it furniſhed the improvident, none can be ignorant. The laws originally propoſed for our direction had not only been derived from the inmoſt receſſes of nature, but alſo ordained by God, explained by his inſpired prophets, confirmed by the Son of God, himſelf alſo God, recommended in the writings and expreſſed in the lives, and ſealed by the blood of the moſt approved and ſanctified perſonages. Nor was there, in the whole law, a chapter more carefully penned, more clearly explained, or more ſtrongly enforced, than that which deſcribes the duty of biſhops. Hence, as it is an impiety to add, to retrench, to repeal or alter a ſingle article in thoſe laws, nothing remained for epiſcopal ingenuity but the interpretation. The biſhop of Rome having aſſumed this privilege, not only oppreſſed the other churches, but exerciſed the moſt enormous tyranny that ever was ſeen in the world: for having the audacity to aſſume authority not only over men, but even over angels, he abſolutely degraded Chriſt; except it be not degradation, that in heaven, on earth and in hell, the pope's will ſhould be law; and that Chriſt's will ſhould be law only if the pope pleaſes. For, if the law ſhould appear rather adverſe to his intereſt, he might, by his interpretation, mould it ſo as to compel Chriſt to ſpeak, not only through his mouth, but alſo according to his mind. Hence, when Chriſt ſpoke by the mouth of the Roman pontiff, Pepin

ſeiſed

ſeiſed the crown of Chilperic, and Ferdinand of Arragon dethroned Joan of Navarre; ſons took up impious arms againſt their father, and ſubjects againſt their king; and Chriſt being himſelf poiſoned, was obliged afterwards to become a poiſoner, that he might, by poiſon, deſtroy Henry of Luxemburg.

M. This is the firſt time that I ever heard of theſe enormities. I wiſh, however, to ſee what you have advanced concerning the interpretation of laws a little more elucidated.

B. I will produce one ſingle example, from which you may conceive the whole force and tendency of this general argument. "There is a law, that a biſhop ſhould be the huſband of one wife;" and what can be more plain or leſs perplexed? But "this one wife the pope interprets to be one church," as if the law was ordained for not repreſſing the luſt, but the avarice of biſhops. This explanation, however, though nothing at all to the purpoſe, bearing on its face the ſpecious appearance of piety and decorum, might paſs muſter, had he not vitiated the whole by a ſecond interpretation. What then does this pontiff contrive? "The interpretation," ſays he, "muſt vary with perſons, cauſes, places and times." Such is the diſtinguiſhed nobility of ſome men, that no number of churches can be ſufficient for their pride. Some churches again are ſo miſerably poor, that they cannot afford even to a monk, lately a beggar, now a mitred prelate, an adequate livelihood, if he would maintain the character and dignity of a biſhop. By this knaviſh interpretation of the law there was deviſed a form, by which thoſe who were called the biſhops of ſingle churches held others in commendam, and enjoyed the ſpoils of all

all. The day would fail me ſhould I attempt to enumerate the frauds which are daily contrived to evade this ſingle ordinance. But, though theſe practices are diſgraceful to the pontifical name, and to the Chriſtian character, the tyranny of the popes did not ſtop at this limit. For ſuch is the nature of all things, that, when they once begin to ſlide down the precipice, they never ſtop till they reach the bottom. Do you wiſh to have this point elucidated by a ſplendid example? Do you recollect among the emperors of Roman blood any that was either more cruel or more abandoned than Caius Caligula?

M. None, that I can remember.

B. Among his enormities, which do you think the moſt infamous action? I do not mean thoſe actions which clerical caſuiſts claſs among reſerved caſes, but ſuch as occur in the reſt of his life.

M. I cannot recollect.

B. What do you think of his conduct in inviting his horſe, called Incitatus, to ſupper, of laying before him barley of gold, and in naming him conſul elect?

M. It was certainly the act of an abandoned wretch.

B. What then is your opinion of his conduct, when he choſe him as his colleague in the pontificate?

M. Are you ſerious in theſe ſtories?

B. Serious, undoubtedly; and yet I do not wonder that theſe facts ſeem to you fictitious. But our modern Roman Jupiter has acted in ſuch a manner as to juſtify poſterity in deeming theſe events no longer incredibilities but realities. Here I ſpeak of the pontiff, Julius the Third, who

ſeems

ſeems to me to have entered into a conteſt for ſuperiority in infamy with that infamous monſter, Caius Caligula.

M. What enormity of this kind did he commit?

B. He choſe for his colleague in the prieſthood his ape's keeper, a fellow more deteſtable than that vile beaſt.

M. There was, perhaps, another reaſon for his choice.

B. Another is aſſigned; but I have ſelected the leaſt diſhonourable. Therefore, ſince not only ſo great a contempt for the prieſthood, but ſo total a forgetfulneſs of human dignity, aroſe from the licentiouſneſs of interpreting the law, I hope that you will no longer reckon that power inconſiderable.

M. But the ancients do not ſeem to me to have thought this office of interpretation ſo very important as you wiſh to make it appear. The truth of this obſervation may be collected from a ſingle circumſtance, that the Roman emperors granted the privilege to counſellors; a fact which overturns the whole of your verboſe diſſertation, and refutes not only what you aſſerted concerning the magnitude of that power, but, in oppoſition to your earneſt wiſh, clearly demonſtrates that the liberty of anſwering legal queſtions, which they granted to others, was not denied to themſelves, if their inclination prompted or their occupation permitted its exerciſe.

B. The Roman emperors, whom the ſoldiers placed at their head, without any diſcrimination, or the leaſt regard to the publick good, do not ſtand in the predicament of the kings that we have been deſcribing; as they were generally choſen by the moſt abandoned claſs of men for their abandoned character, or forced their way to the purple by

by open violence. Their conduct in granting to counſellors the power of anſwering legal queſtions I find not at all reprehenſible; for, though it is of very great importance, it is, with ſome degree of ſafety, entruſted to men to whom it cannot be an inſtrument of tyranny. Beſides, as it was entruſted to numbers, they were kept to their duty by mutual reverence; ſince, if any of them deviated from rectitude, he was refuted by the anſwer of another. Nay, if a knot of counſellors entered into a knaviſh conſpiracy, recourſe might be had for relief to the judge, who was not under the neceſſity of holding their anſwers law. Recourſe might alſo be had to the emperor, who had the power of inflicting puniſhment on every violator of the laws. Since theſe men were thus bound by ſo many chains, and more in dread of penalties for malverſation than in expectation of rewards for fraud, you ſee, I apprehend, that the danger from them could not be very formidable.

M. Have you any further remarks to make about your king?

B. Firſt of all, if you pleaſe, let us collect in a few words what has been ſaid; for thus we ſhall moſt eaſily diſcover whether we have been guilty of any omiſſion.

M. Your plan has my approbation.

B. We ſeemed to be pretty well agreed about the origin and cauſe of creating kings, and of eſtabliſhing laws, but to differ a little about the author of the law. Compelled, however, at laſt by the evidence of truth, you appeared, though with ſome reluctance, to yield your aſſent.

M. Though, as an advocate, I made the moſt ſtrenuous exertions, you certainly wreſted from the king not only the power of ordaining, but even of interpreting the laws; and here I fear that, if

if the matter ſhould become publick, I may be charged with prevarication; ſince I allowed a cauſe, which, at the outſet, I thought ſo good, to be ſo eaſily wreſted out of my hands.

B. Be not alarmed; for, if any one ſhould, in this caſe, charge you with prevarication, I promiſe you my counſel gratis.

M. Of that promiſe, perhaps, we ſhall ſoon have a trial.

B. We diſcovered alſo many ſorts of buſineſs, that ſeemed incapable of being included in any laws; and of theſe we referred, with the king's conſent, part to the ordinary judges, and part to his council.

M. That we did ſo, I recollect. And, in the interim, what do you think came into my head?

B. How can I, unleſs you tell me?

M. I thought you carved out kings in ſome degree ſimilar to thoſe figures of ſtone that ſeem generally to lean upon the heads of columns, as if they ſupported the whole ſtructure, while, in reality, they bear no more of the weight than any other ſtone.

B. What an excellent advocate for kings! You complain that I impoſe upon them too light a burden, while their ſole buſineſs, night and day, is hardly any thing elſe but to diſcover aſſociates, with whom they may either divide the burden of government, or upon whom they may lay its whole weight! And yet you ſeem, at the ſame time, to be enraged that I adminiſter ſome relief to their diſtreſs.

M. Theſe auxiliaries I alſo embrace with cordiality; but wiſh them, as ſervants, not as maſters, as guides to point out the way; not to lead where they pleaſe, or rather to drag and impel a king

as a machine, and leave him nothing elſe but the mere power of giving his aſſent. I have, therefore, been for ſome time in expectation of ſeeing you, after cloſing your diſcourſe upon royalty, make a digreſſion to tyranny or to any other ſubject. For ſo narrow are the limits to which you have confined your king, that, I fear, if we ſhould dwell longer upon that topick, you will, in addition to the loſs of his high eſtate and ſovereign power, baniſh him to ſome deſert iſland, where, ſhorn of all his honours, he may drag a comfortleſs old age in penury and wretchedneſs.

B. You dread, as you allege, the charge of prevarication. Now I, on the other hand, fear that the king, whom you attempt to defend, will be injured by your chicanery. For, in the firſt place, why do you wiſh to ſee him idle, if you would not encourage idleneſs in architects; and in the next, to rob him of the good miniſters and faithful counſellors that I gave him, not as guardians to ſuperintend his conduct, but as aſſociates to relieve him from part of his labour? By their removal you leave him ſurrounded by a legion of knaves, who render him a terror to his ſubjects; and you do not think his power ſufficiently formidable, unleſs we leave him at liberty to do much harm. I wiſh to ſee him beloved by his ſubjects; and guarded, not by terror, but by affection; the only armour that can render kings perfectly ſecure. And, if you do not act with obſtinacy, this is what, I truſt, I ſhall ſoon effect. For I ſhall bring him out of what you call a narrow dungeon into broad daylight, and, by one law, inveſt him with ſuch additional power and majeſty, that, if he ſhould wiſh for more, you will not heſitate yourſelf to charge him with effrontery.

M. That

M. That is a topick which I long to ſee elucidated.

B. That I may, therefore, ſatisfy your eagerneſs with all poſſible ſpeed, I ſhall proceed directly to the eſſential point. One of our late and uncontroverted deductions was, that no law can be ſo clearly and explicitly worded as to leave no room for fraud by a knaviſh interpretation. This matter you will beſt underſtand by the production of an example. It was provided by law, that an illegitimate ſon ſhould not ſucceed his father in an eccleſiaſtical benefice. Even in this affair, which one would imagine could admit of no fraud, an evaſion was found practicable; for the father ſubſtituted another in his ſon's place, and that other reſigned the benefice to the baſtard. When after this ſubterfuge it was expreſsly provided, by an additional clauſe, that the benefice which the father had at any time held ſhould never be held by the ſon, nothing was gained even by this proviſion; for, to render it ineffectual, the prieſts agreed mutually to ſubſtitute one another's ſons. When this practice alſo was forbidden, the law was eluded by a freſh kind of fraud. There ſtarts up againſt the father a ſuppoſitious claimant, who pretends a right to the benefice; and, while the father is engaged in a ſham fight with the ſuppoſititious ſycophant, the ſon requeſts the benefice by petition of the Roman pontiff, if the right of neither litigant ſhould be found valid. Thus both parties are, by their voluntary and ſpontaneous ceſſion, worſted, and the ſon poſſeſſes the benefice of the father by the father's prevarication. In one law, then, you ſee what various kinds of frauds are practiſed.

M. I do.

B. Do not legiſlators, in this caſe, appear to you to act entirely like the medical practitioners, who, in attempting by the application of plaſters to check the eruptions of the ſcurvy or of any other diſtemper, force the repelled humours to burſt out at once through various channels, and, for one head amputated, to exhibit numbers ſprouting up like the hydra's.

M. There cannot be a more apt compariſon.

B. As the phyſician of the body ought at firſt to have expelled entirely all noxious humours, ought not the phyſician of the ſtate to imitate him, and to exterminate univerſally all corrupt morals?

M. That, though I think it difficult, I hold to be the only genuine method of cure.

B. And, if this object can be attained, I think there will be occaſion but for few laws.

M. That is certainly matter of fact.

B. Does it not appear likely to you, that the perſon who can make a proper application of this medicine will contribute more to the publick good than all the aſſemblies of all the orders collected for the enactment of laws?

M. Infinitely more, without doubt. But let me aſk, in the words of the comick poet, "Where is the perſon mighty enough to confer ſo great a favour?"

B. What do you think of entruſting the king with this charge?

M. An admirable contrivance truly! What was a pleaſant and a ſmooth down-hill path you have left the people in a maſs to tread; but the laborious, rugged, and arduous departments, you make the ſole province of the king, as if it were not enough to confine him chained within a cloſe priſon,

ſon, unleſs you alſo impoſed upon him ſo heavy a burden that he muſt ſink.

B. You miſtate the caſe. I aſk nothing of him that is unreaſonable or difficult. I do not inſiſt, but requeſt, that he would liſten to entreaty.

M. To what do you allude?

B. To the natural behaviour of a good father to his children, judging that a king ſhould, through his whole life, behave in the ſame manner to his ſubjects, whom he ought to conſider as his children.

M. What is that remark to the preſent purpoſe?

B. This is certainly the only, at leaſt a very powerful, antidote againſt the poiſon of corrupt morals; and, that you may not think it a fiction of my brain, liſten to Claudian's advice to a king.

"Of citizen and father you ſhould act the part,
The general intereſt wearing next your heart.
O'er one great body you, as head, preſide,
And from its good can ne'er your own divide.
To your own laws, if you ſhould think them fit
Others to bind, be foremoſt to ſubmit.
To laws the people willing homage pay,
Whene'er their author can himſelf obey.
The king's example as a model ſerves,
As in a hive none from the ſov'reign's ſwerves.
An ear to edicts when no man will lend,
The prince's life the human mind can bend.
The vulgar herd, a changeful ſervile race,
Still ape their betters, ev'n in cloaths and face."

Do not imagine that a poet poſſeſſed of ſuch diſtinguiſhed genius and learning was miſtaken in thinking that this circumſtance had ſo mighty an influence; for the populace is ſo much inclined to follow,

follow, and ſo eager to imitate the manners of thoſe who are eminently conſpicuous for probity and worth, that they attempt in their converſation, dreſs, and gait, to copy even ſome of their imperfections. In their exertions, however, to reſemble kings in habit, manner and language, they are not actuated ſolely by the love of imitation, but alſo by the hopes of inſinuating themſelves into the favour of the great, and of acquiring, by wheedling arts, fortune, preferment and power; as they know that man is by nature formed not only for loving himſelf and his connexions, but alſo for embracing with cordiality in others his own likeneſs, however imperfect and vicious. This homage, though not demanded with pride and effrontery, but courted as a precarious favour, has a far greater effect than what the threats of the laws, the engines of puniſhment, and files of muſketeers can produce. This propenſity recalls the people without violence to moderation, procures to the king the affection of his ſubjects, gives permanence to the tranquillity of the publick, and ſolidity to the property of individuals. Let a king, therefore, conſtantly revolve in his own mind that, as he ſtands in a publick theatre, exhibited as a ſpectacle to every beholder, all his words and actions muſt be noted, and ſubject to comments; and that

> To regal vice no ſecrecy is known,
> Expos'd aloft upon a ſplendid throne:
> Whatever ſhape it takes, or new diſguiſe,
> All is explor'd by fame's quick prying eyes.

With what great caution then ought princes, in both caſes, to act; ſince neither their virtues nor their vices can remain concealed, nor come to light, without

without effecting numberleſs changes. If you ſhould ſtill doubt the great influence of the king's life upon the publick diſcipline, take a retroſpective view of infant Rome in its naſcent ſtate, and in its firſt cradle. When this rude and unciviliſed people, compoſed (for I will uſe no harſher terms) of ſhepherds and ſtrangers, ferocious itſelf by nature, with a moſt ferocious king at its head, had formed a kind of camp, to diſturb the peace and to provoke the arms of the ſurrounding nations, how great muſt have been the hatred, how violent the alarm of its neighbours! That very people, having choſen for its head a pious and upright king, was thought ſo ſuddenly changed, that any violence offered to it, in the ſervice of the gods, and in the exerciſe of juſtice, was reckoned almoſt impiety by thoſe very neighbours whoſe lands it had ravaged, whoſe cities it had burnt, and whoſe relations and children it had dragged into ſlavery. Now, if in the midſt of ſuch brutal manners and uncultivated times, Numa Pompilius, a king lately fetched from a hoſtile nation, could effect ſuch a mighty alteration, what may we expect, or, rather, what may we not expect, from thoſe princes who have been born and bred to the hopes of royalty, and who receive an empire ſupported by relations, by dependents, and by ancient connexions? How much ought their minds to be inflamed with the love of virtue, by conſidering that they may not only hope for the praiſe of a ſingle day, like actors who have performed their part well, but alſo preſume that they ſecure the love and admiration of their own age, and perpetual renown, and honours nearly divine among poſterity. The picture of this honour, which I have conceived in my mind, I wiſh I could expreſs to you in words. But that I may, in ſome meaſure, delineate to you a faint

ſketch,

ſketch, figure to yourſelf the brazen ſerpent erected by Moſes in the deſert of Arabia, and curing ſolely by its preſence the wounds inflicted by other ſerpents; conceive ſome of the numerous hoſt ſtung by the ſerpents, and crowding to the infallible remedy; others looking aſtoniſhed at the novelty of the unprecedented miracle; and all with every ſpecies of praiſe celebrating the unbounded and incredible beneficence of God in removing the pains of a deadly wound—not by medicines, with torture to the patient, with labour to the phyſician, and conſtant anxiety to friends, but reſtoring the part to a ſound ſtate, not by the ſlow operation of time, but in a ſingle moment. Now compare to this ſerpent a king; but ſo compare him, as to reckon a good king among the greateſt bleſſings of God; ſince he alone, without expenſe, without trouble to you, relieves all the diſtreſſes, and quiets all the commotions of the realm, and ſoon happily cures, by conciliatory addreſs, even ancient animoſities, and proves ſalutary, not only to thoſe who behold him perſonally, but alſo to thoſe who are ſo far diſtant as not to have the leaſt hope of ever ſeeing him; and has, by his very effigy, when preſented to the mind, ſuch power as eaſily to effect what neither the learning of lawyers, nor the knowledge of philoſophers, nor the experience of ſo many ages employed in the formation of the arts, was ever able to attain. In fact, what honour, what dignity, what greatneſs or majeſty can be expreſſed or conceived ſuperiour to that of the man, who, by his language, his converſation, his look, his name, and even by the preſence of his image in the mind, can bring back diſſolute profligates to moderate expenſes, violent oppreſſors to equitable practices, and furious madmen to their ſober ſenſes? This, if I miſtake not, is the true picture of

of a king; not indeed of a king hedged round with arms, always in fear, or cauſing fear, and, from his hatred of the people, meaſuring their hatred to himſelf. This portrait, which I have juſt exhibited, has been expreſſed in the moſt beautiful colours by Seneca, in his Thyeſtes; and, as it is a very elegant piece of poetry, it muſt undoubtedly occur to your recollection. Now do you think that I ſtill entertain mean and contemptible notions of a king, and that, as you lately ſaid, I thruſt him, with a load of fetters, into a legal dungeon? Have I not rather brought him forward into day-light, into the communities of men, and into the public theatre of the human race, thronged, indeed, not by a haughty circle of ſpearmen and ſwordſmen, and ſilk-clad profligates, but guarded by his own innocence, and protected, not by the terrour of arms, but by the love of the people; and not only free and erect, but honoured, venerable, ſacred and auguſt, hailed by every ſpecies of good omens and felicitating acclamations, and attracting in his whole progreſs the looks, the eyes and ſouls of all ſpectators? What ovation, what triumph, can be compared to ſuch a daily proceſſion? Were a God in human ſhape to drop down upon earth, what greater honour could be ſhown him than what would be paid to a genuine king, that is, to the living image of God? A greater honour than this neither love could beſtow, nor fear extort, nor flattery invent. What think you of this picture of a king?

M. It is truly ſplendid, and ſo magnificent, that it ſeems impoſſible to conceive any thing more noble. But during the corrupt morals of our times, it is difficult to conceive the exiſtence of ſuch magnanimity, unleſs a happy liberality of mind and natural goodneſs of diſpoſition be aided by the diligence of education. For the mind, if

once formed by good inſtructions and arts, will, when confirmed by age and experience, purſue true glory through the paths of virtue, be in vain tempted by the allurements of pleaſure, and remain unſhaken by the aſſaults of adverſe fortune. For ſo much

> To native power does diſcipline impart,
> And proper culture ſteel the human heart,

that in the very avocations of pleaſure, it meets with opportunities for the exerciſe of virtue, and conſiders the difficulties, which uſually terrify weak minds, as caſual materials for the acquiſition of juſt renown. Hence, as a liberal education is in every point of view ſo momentous, what proſpective care and anxious precaution ought to be uſed, that the tender minds of kings may be properly ſeaſoned from their very cradle! For, as the bleſſings conferred by good kings on their ſubjects are ſo numerous, and the calamities originating with bad princes are, on the other hand, equally numerous, nothing appears to me to have, in every reſpect, a greater weight than the moral characters and political diſpoſitions of kings themſelves, and of thoſe who enjoy with them a ſhare of the ſupreme power. For the good or bad conduct of individuals generally eſcapes the notice of the multitude, or the obſcurity of its author allows the example to reach but a few: but all the words and deeds of thoſe who direct the helm of ſtate being written, as Horace ſays, in a kind of votive tablet, cannot remain concealed, but lie open to general imitation. Nor is it merely by a fondneſs for pleaſing, but by the inviting blandiſhments of intereſt, that miniſters attach the minds of courtiers, and make the publick diſcipline veer with the veering inclinations

clinations of kings. I fear, however, that we ſhall not be able to prevail upon our princes to diſcharge thoſe functions, of which you have juſt given a detail. For they are ſo corrupted by the allurements of pleaſure, and ſo much deceived by a falſe idea of honour, that I think them likely to experience nearly the ſame misfortune which, as we are told by ſome poets, befel the Trojans in their voyage under Paris. Having left the real Helen in Egypt with Proteus, a man of uncommon ſanctity, and indeed of a godlike character, they fought during ten years for her image with ſuch obſtinacy, that the ſame moment proved the end of the moſt deſtructive of wars, and of the moſt opulent kingdom then in exiſtence. This falſe idol of royalty, when once poſſeſſed by right or by wrong, impotent tyrants embrace with fondneſs, and can neither retain without a crime, nor relinquiſh without ruin. If any man were to hint that the true Helen, for whom they believe themſelves contending, is concealed in ſome remote and ſequeſtered region, they would declare him inſane.

B. It is with much pleaſure I find that, if you have not really ſeen the daughter of Jove, you have, from my deſcription, at leaſt formed ſome idea of her beauty. For, if thoſe, who, to their own great detriment, are in love with the repreſentation of the imaginary Helen, were to ſee a perfect likeneſs of the real one, painted by ſome Protogenes or Apelles, I doubt not but they would feel for it the greateſt admiration, and the moſt violent paſſion; and that, if they did not immediately bid adieu to the other, they would juſtly incur the cruel puniſhment denounced againſt tyrants in the imprecation of the ſatiriſt Perſius—

" Great Father of the Gods, when, for our crimes,
Thou ſend'ſt ſome heavy judgement on the times,
Some barbarous king, the terrour of the age,
The type and true vicegerent of thy rage,
Thus puniſh him :—ſet Virtue in his ſight,
Grac'd with each charm that can the eye invite ;
But ſet her diſtant, that he thus may ſee
His gains outweigh'd by loſt felicity."

And, ſince tyrants have been incidentally mentioned, what do you think of proceeding directly to the conſideration of them?

M. I have no objection, if you think that no other ſubject claims a preference.

B. In my opinion we ſhall not be in the leaſt danger of going aſtray, if, in the inveſtigation of a tyrant, we follow the ſteps which we trod in our ſearch after a king.

M. That is likewiſe my opinion. For we ſhall moſt eaſily comprehend their difference, if we ſurvey them contraſted.

B. And firſt, if we begin with the name tyrant, we ſhall find it uncertain to what language it belongs. Accordingly, to inquire whether its etymology be Greek or Latin will be ſuperfluous. But what the ancients called tyranny can, I think, be no myſtery to any perſon who is a little familiar with polite literature. For both the Greeks and Latins called thoſe tyrants whoſe power was in every reſpect unlimited, reſtrained by no legal ties, and ſubject to the cogniſance of no judicature. And therefore, in both languages, as you well know, not only heroes and the moſt excellent men, but alſo the greateſt of the Gods, and even Jupiter himſelf, are ſtyled tyrants, and that by thoſe who both thought and ſpoke of the Gods with the greateſt reverence and honour.

M. Of

M. Of that I am by no means ignorant; and therefore I am the more ſurpriſed that the name ſhould be, for ſo many ages, held odious and even highly reproachful.

B. This term has certainly met with the fate of moſt others; for words, if duly conſidered, will be found in their own nature totally innocent. Though they ſtrike the ear, ſome with a ſmooth, ſome with a harſh ſound, yet they have no intrinſick power of exciting in the mind anger, hatred, or mirth, or in any way of creating pleaſure or pain. If ever we experience any ſuch thing, it generally proceeds, not from the word, but from human cuſtom, and from the idea conceived in the mind. Hence a word, that to ſome is a mark of reſpect, cannot be uttered before others without a prefatory apology.

M. I recollect that ſomething of a ſimilar nature has happened in the caſe of Nero and Judas; for the former of theſe names among the Romans, and the latter among the Jews, was reckoned by the higheſt families eminently ſplendid and honourable. Afterwards, however, through no defect in the names, but from the fault of two individuals, it happened that the moſt abandoned would not give them to their children; into ſo much obſcurity had they fallen through infamy.

B. That tyrant ſtands in the ſame predicament is evident. For that the firſt magiſtrates, who received that name, were good men, is probable from this circumſtance, that the name was for ſome time ſo honourable, that men applied it even to the gods. Their ſucceſſors, by their crimes, rendered it ſo deteſtable, that all ſhunned it as contagious and peſtilential, and deemed it a lighter reproach to be called hangman than tyrant.

M. Here

M. Here the ſame thing happened as to the kings at Rome after the expulſion of the Tarquins, and to the name of dictator after the conſulſhip of Antony and Dolabella.

B. You perfectly comprehend the matter. On the other hand again, humble and plebeian names became, through the merit of the perſons to whom they belonged, illuſtrious, as among the Romans, Camillus, Metellus, Scropha; and among the Germans, Henry, Genſerick and Charles. This obſervation you will the more eaſily underſtand, if you conſider that, after the name of tyrant became extinct, the ſubſtance of the thing remained, and this ſpecies of magiſtracy ſtill retained its priſtine dignity among a variety of illuſtrious nations, as the Æſymnetæ among the Greeks, and dictators among the Romans. For both were legal tyrants; tyrants indeed, becauſe they were ſuperiour to the laws, and legal, becauſe elected by the conſent of the people.

M. What do I hear! that there are even legal tyrants? From you, at leaſt, I expected to have heard a quite different doctrine. For now you ſeem to confound every diſtinction between kings and tyrants.

B. Among the ancients, kings and tyrants ſeem undoubtedly to have conveyed the ſame idea, but, I conceive, at different periods of time. For the name of tyrants was, I preſume, the more ancient; and, when nations became tired of them, kings ſucceeded in their place under a more ſoothing title, and with a milder ſway. When theſe alſo degenerated, men had recourſe to the moderating power of laws, that might limit the extent of their authority, and ſet bounds to their boundleſs deſires. But, as the variations of times and manners required new remedies, and old governments

vernments became odious, new forms were invented. The ſubjects, however, which we have at preſent undertaken to diſcuſs, are the two ſpecies of government; that in which the power of the laws is ſuperiour to the king's, and, what is the worſt ſpecies of tyranny, that in which every thing is diametrically oppoſite to royalty; and to compare them one with the other.

M. It is ſo; and I long much to hear you upon that topick.

B. The firſt point, then, which we aſcertained was, that kings were created for the maintenance of civil ſociety; and we eſtabliſhed it as an axiom, that it was their duty to adminiſter juſtice to every man according to the directions of the law.

M. I recollect it.

B. Firſt then, by what name ſhall he, who does not receive that office by the people's voluntary conſent, but ſeizes it by violence, or intercepts it by fraud, be qualified?

M. By that of tyrant, I conceive.

B. There are beſides many other diſtinctions, which, as they may be eaſily collected from Ariſtotle, I ſhall lightly ſkim. Regal government is conformable, and tyranny contrary, to nature: a king rules over a willing, a tyrant over a reluctant people; royalty is a freeman's authority over freemen, tyranny a maſter's over his ſlaves: citizens act as ſentinels to a king, for the ſecurity of his perſon; foreigners to a tyrant, for the oppreſſion of the citizens; for the one exerciſes his power for the benefit of the people, and the other for his own.

M. What then ſhall we ſay of thoſe, who, by violence, and without the people's conſent, obtained ſupreme power, and governed their reſpective ſtates for many years in ſuch a manner as to leave the publick no reaſon to be diſſatisfied with their adminiſtration?

miniſtration? For, except a legal election, how little was there wanted in Hiero of Syracuſe, and in the Medicean Coſmo of Florence, to conſtitute a juſt and accompliſhed king?

B. Theſe we can by no means help inſerting in the catalogue of tyrants. For, as an excellent hiſtorian has finely remarked, "by force to rule your country or parents, though you ſhould have the power, and ſhould rectify their errors, is ſtill offenſive and vexatious." In the next place, ſuch men ſeem to me to act like robbers, who, by artfully dividing their ill-gotten booty, expect from iniquity the reputation of juſtice, and from rapine the praiſe of liberality; and yet never attain the object of their deſire. For by the hatred ariſing from one miſdeed, they loſe all gratitude for their oſtentatious beneficence, and gain the leſs credit for moderation among their fellow-citizens that their view is not the publick good, but their own private power, that they may the more ſecurely enjoy their pleaſures, and, by mollifying a little the general hatred, tranſmit their authority the more eaſily to their deſcendants. When this has been once effected, they reſume their natural character; for what fruit is likely to be collected in harveſt may be eaſily conceived from the ſeed that has been ſown in ſpring.

For to make every thing bend to your own nod, and to centre in your own perſon, the whole force of the laws has the ſame effect as if you ſhould abrogate all the laws. But this kind of tyrants ought perhaps to be tolerated, if they cannot be removed without general ruin; as we chooſe to ſubmit to certain bodily diſtempers rather than to expoſe our life to the hazardous experiment of a doubtful cure. But thoſe, who openly exerciſe their power, not for their country, but for themſelves, and pay no regard

gard to the publick intereſt, but to their own gratification, who reckon the weakneſs of their fellow-citizens the eſtabliſhment of their own authority, and who imagine royalty to be not a charge entruſted to them by God, but a prey offered to their rapacity, are not connected with us by any civil or human tie, but ought to be put under an interdict, as open enemies to God and man. For all the actions of kings ought to keep in view, not their own private emolument, but the general ſafety of the ſtate; and the more they are exalted above the moſt eminent citizens, the more they ought to imitate thoſe celeſtial bodies that, without any act of conciliation on our ſide, pour upon mankind the vital and beneficent ſtreams of their light and heat. Even the very titles, with which we decorated kings (and perhaps they are within your recollection), might remind them of this munificence.

M. I think I recollect that, towards their ſubjects, they were to practiſe the indulgence of fathers to their children, to uſe the diligence of ſhepherds in promoting their intereſt, to behave as generals for the ſecurity of their perſons, as chief-juſtices in diſplaying a pre-eminence of virtue, and as emperors in iſſuing ſalutary edicts.

B. Can he then be called a father, who treats his ſubjects as ſlaves? or he a ſhepherd, who does not feed, but flay his flock? or he a pilot, whoſe conſtant ſtudy it is to throw the goods overboard; and who, according to the nautical adage, ſcuttles the veſſel in which he ſails?

M. By no means.

B. What do you think of the king, who governs, not for the benefit of the people, but for the gratification of his own appetites and paſſions, and is manifeſtly engaged in an inſidious conſpiracy againſt his ſubjects?

M. I ſhall certainly deem him neither a general, nor an emperor, nor a ſupreme judge.

B. Should you then obſerve a man uſurping the name of king, who excels none of the multitude in any ſpecies of virtue, and is even inferiour to many, who diſcovers no paternal affection for his ſubjects, but cruſhes them under his proud ſway; who conſiders them as a flock entruſted to him, not for their preſervation but for his own emolument; will you reckon him truly a king, though he ſhould ſtalk along, crowded by a numerous train of guards, and make an oſtentatious diſplay of a magnificent dreſs, and dazzle the eye by exhibiting the ſword of the law, and conciliate the favour and applauſe of the vulgar by prizes, games, proceſſions, mad piles of buildings, and other popular ſigns of grandeur? Will you, I ſay, deem him a king?

M. Not at all, if I mean to be conſiſtent; I muſt conſider him as an outcaſt from human ſociety.

B. By what bounds do you circumſcribe this human ſociety?

M. By the very ſame to which you ſeemed to me, in your preceding diſſertation, to wiſh it confined to the fences of law; for I ſee that robbers, thieves and adulterers, who tranſgreſs them, are puniſhed by the publick, and that their tranſgreſſion of the limits preſcribed by human ſociety is thought a juſt cauſe for their puniſhment.

B. What will you ſay of thoſe who never would come within the pales of human ſociety?

M. I ſhould conſider them as enemies to God and man, and entitled to the treatment, not of men, but of wolves and other noxious animals, which, if bred by any perſon, are bred to the deſtruction of himſelf and of others, and, if killed, are

are killed to the advantage not only of the individual but of the publick. Nay, were I empowered to enact a law, I would adopt the Roman method of treating monſters, and order ſuch a race of men to be expoſed on ſome deſolate iſland, or to be ſunk in the deep at a diſtance from the ſight of land, leſt they ſhould, even when dead, injure the living by their contagion; and publiſh a decree, that whoever diſpatched them ſhould be rewarded, not only by the whole people, but by private perſons, as is generally done to thoſe who have killed wolves or bears, or ſeiſed their cubs. For, if any ſuch monſter were to ariſe, and to utter human accents, and to have the appearance of a man's face, and his likeneſs in every other part, I could never think myſelf connected with him by any ſocial tie. Or if any one, diveſting himſelf of humanity, ſhould degenerate into ſavage barbarity, and refuſe to unite with other men, but for men's deſtruction, I do not think him entitled to the appellation of man any more than ſatyrs, apes or bears, though in his look, geſture and language, he ſhould counterfeit man.

B. Now you comprehend, if I miſtake not, what notion the wiſeſt of the ancients entertained of a king's as well as of a tyrant's character. Is it your pleaſure then that the rule adopted by us, in forming an idea of a king, ſhould be followed in exhibiting the portrait of a tyrant?

M. Certainly; and, if it is not too troubleſome, I am eager to hear you proceed.

B. You have not forgotten, I imagine, what is ſaid by the poets of the furies, and by the populace of devils, that they are ſpirits hoſtile to the human race, and, in the midſt of their own eternal torments, delighting in the torture of men. This is certainly a true picture of tyranny. But, ſince

this picture is diſcernible only to the mind, and without ſenſation, I ſhall offer you another, which will impreſs not only your mind but your ſenſes, and ruſh upon your eyes almoſt palpably viſible. Imagine yourſelf viewing a ſhip at ſea, toſſed by ſtorms, and all the ſhores around not only deſtitute of harbours, but full of inveterate enemies; imagine alſo the maſter of that ſhip engaged in a mutual conteſt of hatred with the paſſengers, and yet having no hopes of ſafety but in the fidelity of the ſailors, and even thoſe not certain, as he cannot be ignorant that his life is in the hands of a barbarous claſs of men, ſtrangers to all humanity, retained in their duty ſolely by proffers of money, and eaſily tempted to his deſtruction by the proſpect of greater hire. Such, poſitively, is the life embraced by tyrants as a ſtate of beatitude. Abroad they dread open enemies, at home their ſubjects; and not only their ſubjects, but their domeſtics, their relations, their brothers, their wives, their children, and their parents. Accordingly, they always either wage or dread an external war with foreigners, a civil war with their ſubjects, or a domeſtic war with their relations, and never expect any aſſiſtance but from hirelings, and dare not hire the good nor truſt the bad. What enjoyment then can life be to ſuch men? Dionyſius, dreading the application of a razor to his throat, would not permit his daughters, ladies of adult age, to ſupply the place of a barber. His brother was murdered by Timoleon, the Pheræan Alexander by his wife, and Spurius Caſſius by his father. What racks muſt the man, who has theſe examples conſtantly before his eyes, carry in his breaſt, when he conſiders himſelf erected as a mark at which all mankind are to ſhoot their arrows? when he is tormented by the ſtings of conſcience, not only when awake, but is rouſed even

even in his ſleep by the terrifick images of the living and the dead, and purſued by the furies ſhaking their torches? For the time aſſigned by nature to all animals for repoſe, and to men as a relief from cares, becomes to him all horrour and deſpair.

M. Theſe topicks you have unfolded with no inconſiderable art, and, perhaps, with equal truth; but, if I am not miſtaken, with little ſubſerviency to our plan. For nations, who have the power of electing kings, have alſo the power of binding them, when elected, by laws. But you know that ours are not kings by election but by birth; and I have always been of opinion that the crown was not more an hereditary right than the power of making their will the law. Nor have I lightly adopted this opinion, but deliberately, and under the ſanction of great ſtateſmen, with whom, if I have erred, I need not be aſhamed of my errour. For, without mentioning others, the lawyers affirm that, by the imperial law enacted concerning their authority, the whole power of the people was transferred to them, ſo that their pleaſure ſhould ſtand as law. Hence aroſe a certain emperor's threats, that he would, by one edict, wreſt from all the lawyers, all the power, in which they ſo much gloried.

B. While you were quoting the very worſt authority, in ſo important a caſe, you acted with prudence in ſuppreſſing all names; as it would be the name of Caius Caligula, who, for the gratification of his ſavage cruelty, wiſhed that the Roman people had but one neck, and poſſeſſed nothing that belongs, I will not ſay to a king, but to a man, but the form. You cannot, therefore, be ignorant what little credit is due to his words. As to the imperial law, lawyers themſelves

150 ſelves can neither explain its nature, nor aſcertain when, by whom, or in what words, it was paſſed. For the Roman kings never poſſeſſed that power, as an appeal lay from them to the people. The act, by which Lucius Flaccus, after the extinction of Roman liberty, eſtabliſhed, through the ſilence of the other laws, the tyranny of Lucius Sylla, no man ever recogniſed as a law; for the purport of that act was, that whatever Lucius Sylla did ſhould be valid in law. Of ſuch a power over itſelf, no free people was ever ſo mad as to make a voluntary grant; or, if ever there was, it certainly deſerved to live in perpetual ſlavery to tyrants, and to ſuffer the puniſhment due to its folly. However, if any ſuch law really exiſted, we ought to conſider it as an example for caution, not for imitation.

M. Your admonition, though well founded, is applicable only to thoſe who have the power of creating kings of ſpecifick qualities; but not at all to us, who, by our ſuffrages, do not elect the beſt, but accept the gift of chance. This remark, made by our lawyers, peculiarly affects us, who beſtowed upon the anceſtors of our kings ſuch a right to bind us and our poſterity, that they and their deſcendants hold perpetual ſovereignty over us. I wiſh, therefore, that this advice had been ſuggeſted to them, I mean to our anceſtors, as they were entirely at liberty to adopt what kings they pleaſed. Your counſel coming now too late, has certainly no other tendency, but to make us deplore the folly of our anceſtors, and feel the miſery of our condition. For, ſold into bondage as we are, what remains for us but to ſuffer puniſhment for the folly of others, and to alleviate its weight by the meekneſs of our patience; and not to exaſperate, by unſeaſonable murmurs, the rage of thoſe, whoſe yoke we cannot ſhake off, whoſe power

power we cannot diminiſh, and whoſe violence and tyranny we cannot eſcape? The imperial law, however, to which you are ſuch a determined foe, was not, as you wiſh to inſinuate, invented in favour of tyrants; for it was ſanctioned by the juſteſt of princes, by Juſtinian, with whom ſuch open flattery could never have prevailed; for Horace's maxim is applicable even to a fooliſh prince:

Whom does falſe honour pleaſe, or lying fame affright?
None but the wretches who in vice and lies delight.

B. However cruelly ungrateful to Beliſarius ſome hiſtorians paint Juſtinian, he is certainly allowed to have been, in general, a great prince. Let him, therefore, be ſuch as you wiſh him to appear: you ought ſtill to recollect, that moſt of his cotemporaries have characteriſed Scribonian, the principal compiler of the laws in queſtion, as a moſt abandoned man, who might have eaſily been induced to go any lengths for the gratification of the worſt of ſovereigns. For,

All wiſh the dire prerogative to kill;
Even they would have the pow'r who want the will:

And,

Nothing ſo monſtrous can be ſaid or feign'd,
But with belief and joy is entertain'd,
When to his face the worthleſs wretch is prais'd,
Whom venal courtiers to a God have rais'd.

But let us return to our own princes, to whom you ſay that the crown belongs by inheritance, not by ſuffrage. Now I here ſpeak only of our own; for, were I to make a digreſſion to foreign princes, I fear that the diſcuſſion would embrace too wide a field.

M. That

M. That is, in my opinion, the beſt mode of proceeding; as foreign tranſactions are not very intimately connected with the preſent ſubject.

B. If then we trace the hiſtory of our nation from its firſt origin, it will be found a ſettled point, that the princes inveſted with ſovereign power owed their election to the opinion generally entertained of their merit.

M. Such is the account contained in our hiſtorical records.

B. Nor is it a leſs ſettled point, that many princes, who made a cruel or flagitious uſe of their office, were called to an account by their ſubjects; that ſome were, in certain caſes, baniſhed, and in others executed; and that, though either their ſons or relations were choſen in their place, yet no inquiry was ever inſtituted againſt the authors of their puniſhment; but that violence offered to good kings has, in no part of the world, been puniſhed with more exemplary ſeverity. And, ſince it would be tedious to enumerate individuals, a few only of a late date, and ſtill freſh in the nation's memory, ſhall be here mentioned. The murder of James the Firſt, who left behind him a male heir, ſix years of age, was ſo inexorably revenged by the nobility, that perſons ſprung from the moſt illuſtrious families, and of the firſt diſtinction for riches and connexions, were deſtroyed by a new and exquiſite kind of puniſhment. But, on the other hand, who lamented, for I will not ſay revenged, the death of James the Third, a man noted for flagitiouſneſs and cruelty? On the death, however, of his ſon, James the Fourth, even the ſuſpicion of murder could not eſcape the ſevereſt deſtiny. Nor did our anceſtors diſcover a pious affection only to good kings, but alſo treated bad princes with lenity and mercy. For Calen-

Calenbeing, as he was coming to plead his cauſe, murdered on the road by an enemy, was revenged in an exemplary manner by a decree of the States; and Ewen, who had been condemned to perpetual impriſonment, having been ſimilarly killed in confinement by an enemy, was ſimilarly revenged; and the violent death of the man, whoſe nefarious life all deteſted, was puniſhed as parricide.

M. The preſent ſubject of our inquiry is, not ſo much what has been ſometimes done, as what are the legal rights of our ſovereigns.

B. Returning then to that queſtion, and conſidering the ſtate of our kings down to Kenneth the Third, who firſt eſtabliſhed his race permanently upon the throne, we ſhall find it a clear caſe, that as the people, till that period, exerciſed the right of creating and correcting their kings, he muſt have procured this right to his family either by force or by perſuaſion.

M. The inference is undeniably juſt.

B. Beſides, if he extorted obedience from the people by force, the people, upon the firſt proſpect of ſuperiority in the conteſt, may ſhake off ſo grievous a yoke; ſince the received laws and the imperative voice of nature proclaim, both to kings and to nations, that every ſyſtem upheld by violence may, by the like violence, be overturned.

M. But what will follow, if the people, either circumvented by fraud, or compelled by fear, ſhould ſubmit to ſlavery? What reaſon can be alleged why they ſhould not for ever adhere to a convention once ſolemnly ratified?

B. If you talk to me of a convention, what reaſon is there that I ſhould not, in oppoſition, produce thoſe cauſes which may effect the diſſolution of compacts and conventions? And firſt, with

regard to agreements founded on violence and fear, there is in all communities an eſtabliſhed law, derived from the pure fountains of nature. Even to ſuch as have been over-reached by fraud, the laws grant an entire reſtitution to their former ſtate, and order this rule to be ſcrupulouſly obſerved in the caſe of minors, and other perſons, whoſe intereſt they wiſh particularly to conſult. Who then can have a juſter claim to reſtitution than the whole body of the people, ſince an injury offered to it affects not only a ſingle part of the community, but is widely diffuſed through all the members of the body politick?

M. I know that in the cauſes of private perſons this law is adopted, and that it is in no caſe iniquitous. But upon this topick we need not enter into any violent conteſt; ſince, as we are informed by our hiſtorians, it is extremely probable that the right in queſtion was beſtowed upon our kings by the people's conſent.

B. It is likewiſe probable, that ſo important a right was not granted without ſome important cauſe.

M. That poſition I readily admit.

B. What then, do you think, was the principal cauſe?

M. What other cauſes can I aſſign but thoſe recorded in hiſtory? The people's impatience, under the preſſure of ambition, of anarchy, of murder, and of inteſtine war, frequently terminating in the utter ruin of one of the parties, and always with infinite miſchief to both. For thoſe who obtained the ſovereign power endeavoured to leave their children in undiſturbed poſſeſſion, by the total extinction of their brothers and neareſt relations; a ſpecies of policy, which, we hear, is adopted among the Turks, and which, we ſee, is practiſed

practiſed by the chieftains in our own iſles, as well as in Ireland.

B. To which of the two then, do you think, the conteſt proved more dangerous, to the people or to the princes?

M. To the princes indiſputably; for the people, though ultimately doomed to become the prey of the victors, may, during the conteſt, live in perfect ſecurity.

B. Princes then, it ſeems, have wiſhed, rather on their own account than for the publick benefit, to make the crown permanent and hereditary in their family.

M. The ſuppoſition appears probable.

B. Now, in order to gain a point ſo eſſential to the laſting honour, to the wealth and ſecurity of their family, it is reaſonable to ſuppoſe that, in return, they relinquiſhed ſome part of their right, and that to retain the good-will and affection of the people, and to procure their conſent, they granted on their ſide ſome equivalent boon.

M. I believe ſo.

B. You will certainly allow it to be an incredible ſuppoſition, that, in return for ſo important a conceſſion to their kings, they ſhould ſuffer their condition to be altered for the worſe?

M. Abſolutely incredible.

B. Nor would kings, had they known this to be an injurious inſtitution, diſadvantageous both to their children and to the people, have ſolicited its adoption with ſuch ambitious zeal?

M. By no means.

B. Suppoſe then any individual, in the mixed throng of a free people, freely to aſk the king, "What is to be done, if any of our kings ſhould have a ſon that is an idiot; or, what is worſe ſtill, a ſon that is inſane? Will you grant the power

of regulating our conduct to a man who cannot regulate his own?"

M. There was no occaſion, I think, for ſuggeſting this exception, ſince, whenever this claſs of men occurs, there is ſufficient proviſion made by the laws.

B. An honeſt, as well as ſound opinion. Let us, therefore, inquire, whether, if kings had obtained from the people unlimited power over the laws, it would not have been injurious, eſpecially to thoſe who wiſhed to provide for the welfare of their poſterity?

M. Why, I beſeech you, ſhould we think that it would prove injurious?

B. Becauſe nothing contributes ſo much to the perpetuity of ſovereign authority as a due temperament, no leſs honourable to kings than equitable and ſalutary to the people. For nature has implanted in the human mind an elevated and generous principle, which makes it unwilling to obey unjuſt mandates; and there is nothing ſo efficacious in conſolidating ſocieties of men as a reciprocity of benefits. The anſwer, therefore, of Theopompus to his wife, who upbraided him with having, by the introduction of the Ephori into power, impaired the energy of regal government, and with tranſmitting to his children the crown leſs than he had received it, ſeems not to have been unwiſe, when he ſaid, "I have left it ſo much the firmer round their head."

M. What you ſay concerning the perpetuity of the ſovereign power I ſee to be perfectly true. For the kingdoms of the Scots and Danes are, I think, by far the moſt ancient in Europe; and this diſtinction they ſeem to me to have ſecured by nothing ſo much as by the moderate uſe of the ſupreme power; while at the ſame time the crowns of

of France, of England, and of Spain, have paſſed from family to family. Yet I know not whether our kings were as wiſe as Theopompus.

B. Though they ſhould not have been ſo provident, do you think that the people were ſo fooliſh as to neglect an opportunity, ſo ſeaſonably offered, or, ſo ſtruck with fear, or ſo ſeduced by flattery, as to ſubmit ſpontaneouſly to ſlavery?

M. They were not perhaps. But let them, as the thing is poſſible, have been ſo blind as not to ſee what was for their own benefit; or let them have been, with their eyes open, ſo regardleſs of their own intereſt as to have deſpiſed it, will they not be juſtly puniſhed for their folly?

B. It is not likely that any of theſe ſuppoſitions was ever realiſed, ſince in our times their conduct has been conſtantly the reverſe. For beſide the conſtant puniſhment of bad kings, whenever they became tyrants to their ſubjects, there ſtill remain, even in old families, ſome veſtiges of the ancient practice. For the ancient Scots or Highlanders continue, down to our days, to elect their own chieftains, and to aſſign them a council of elders; and thoſe who do not obey this council are deprived of the honourable office. Could then what is ſtill partially obſerved with the greateſt ſcrupulouſneſs in certain diſtricts be neglected in providing for the general good? or would thoſe become voluntary ſlaves to the man, who would deem the grant of royalty, under legal reſtraints, a favour? Can it be ſuppoſed that the liberty, which they had ſecured by valour, defended by arms, and enjoyed uninterruptedly for ages, ſhould, without violence, and without war, be reſigned to him as an unexpected prey? That ſuch power was never poſſeſſed by our kings is, without mentioning the puniſhments ſo often inflicted on them for mal-adminiſtration,

nistration, sufficiently evident from the misfortune of John Baliol, who was, about 269 years ago, rejected by the nobility, because he had subjected himself and his kingdom to Edward the First of England; and Robert the First was substituted in his place. The same truth is evinced also by that uninterrupted practice, which has descended from the earliest times to ours.

M. What practice do you mean?

B. Our kings, at their publick inauguration, solemnly promise to the whole people to observe the statutes, customs, and institutions of our ancestors, and to adhere strictly to that system of jurisprudence handed down by antiquity. This fact is proved by the whole tenour of the ceremonies at their coronation, and by their first arrival in our cities. From all these circumstances it may be easily conceived what sort of power they received from our ancestors, and that it was clearly such as magistrates, elected by suffrage, are bound by oath not to exceed. Upon such terms God offered the crown to David and to his posterity, promising that they should be kings as long as they obeyed the laws which he had ordained. All this evidence makes it probable that the authority conferred by our ancestors on their kings was not unbounded and immense, but circumscribed and confined to fixed limits. In favour of this right in the people add, besides, immemorial prescription and long use, never contravened by any publick decree.

M. But I fear that kings will not be easily persuaded, by the consideration of these probabilities, to submit to such laws, however much sanctioned by royal oaths, or justified by popular prescription.

B. In like manner, it is my belief that the people will not be easily prevailed upon to relinquish a

right

right received from their anceſtors, approved by the concurring voice of all, and practiſed for an uninterrupted ſeries of ages; nor do I think it neceſſary to form conjectures about what they will do, when I ſee what they have done. But, if from the obſtinate perverſeneſs of both parties, recourſe ſhould be had to arms, the conqueror will certainly impoſe what laws he pleaſes on the conquered: but he will impoſe them only till he, that has had the worſt of the conteſt, can reſume his arms with recollected ſtrength. Theſe ſtruggles end always with miſchief to the people, but generally with utter ruin to their kings; and in theſe cauſes all the diſaſters of all kingdoms originate.

M. Such muſt neceſſarily be the reſult.

B. Here, perhaps, I have entered into a minuter inveſtigation than the ſubject required; but my deſign was to elucidate, more completely, the limits of regal power among us in ancient times. For, if I had inſiſted upon the full extent of my legal claims, I might have taken a much ſhorter road to the object of my purſuit.

M. Though you have nearly ſatisfied me already, yet I ſhall be glad to hear you explain the nature of this compendious road.

B. Firſt, then, I wiſh you to anſwer, whether you approve of the definition of a law given by lawyers, when they ſay that a law is a decree made by the people, at the inſtance of the legal magiſtrate.

M. Undoubtedly it has my approbation.

B. It was alſo aſcertained that, when laws were found to be defective, they might, by the ſame legiſlators, be either amended or repealed.

M. It was ſo.

B. You ſee beſides, I ſuppoſe, that the perſons, who become our kings by birth, become ſo both by the laws and by the ſuffrages of the people, no

leſs

leſs than thoſe conſtituted ſuch originally by election; and that the people, who made the laws, will not be in want of remedies, not only againſt violence and fraud, but alſo againſt neglect in acknowledging the acceptance of them.

M. I ſee it clearly.

B. There is only this difference, that the law relative to our kings was paſſed ſome ages ago; and that, when a new reign commences, it is not uſual to make a new law, but to approve the old. But among nations who hold aſſemblies for the election of their ſeveral kings ſucceſſively, the ſame time uſually ſerves for paſſing the law, for making and approving the king, and for the commencement of the reign.

M. It is ſo.

B. Now, if you pleaſe, let us briefly collect the ſubſtance of what has been aſcertained; that, if we have any-where been too raſh in our concluſions, there may be room for recantation.

M. With all my heart.

B. Firſt of all, it was our opinion that a king is created for the benefit of the people, and that nothing derived from heaven can be a greater bleſſing than a good, or a greater curſe than a bad king.

M. Right.

B. We alſo ſaid that a bad king is called a tyrant.

M. We did ſo.

B. And, becauſe the crop of good men is not ſo abundant as to ſupply us conſtantly with a ſucceſſion of worthy perſons for our ſelection, or hereditary right ſo fortunate in its line of ſucceſſion as to furniſh us always, by accident, with a ſeries of good princes, we accept, as kings, not ſuch as we could wiſh, but ſuch as either publick conſent has ſanctioned,

ſanctioned, or chance offered. The hazard, however, incurred either in electing new dynaſties, or in approving the caſual claimants by hereditary right, occaſioned a general wiſh for laws that ſhould limit the extent of regal power. Now theſe laws ought to be nothing elſe but the expreſs image, as far as it can be attained, of a good king.

M. That deduction alſo we acknowledged to be legitimate.

B. What now remains to be diſcuſſed is the puniſhment due to tyrants.

M. That ſeems the only topick not yet thoroughly examined.

B. If a king then ſhould break through every reſtraint of law, and behave abſolutely as a publick enemy, what conduct ought, in your opinion, to be adopted?

M. Here I own myſelf at a nonplus. For, though the arguments advanced by you ſeem to evince that we cannot have any natural connexion with ſuch a king, yet the power of long habit is ſo great, that with me it has the force of law; and, indeed, it takes ſuch deep and firm root in the minds of men, that, if it ſhould ever be productive of errour, it is better to bear it, than, by endeavouring to cure the diſeaſe, to endanger the conſtitution of the whole body. For ſuch is the nature of ſome remedies, that it is more eligible to bear the pain which they occaſion, than to ſearch for doubtful remedies, in the trial of which, though every thing ſhould ultimately ſucceed, the pains reſulting from their application are ſo acute, that the diſeaſe itſelf is leſs pernicious than its cure. In the next place, what has ſtill more weight with me is, that I ſee what you call tyranny ſanctioned by the oracle of God; and what you exe-

crate as the ruin of law, called, by the Deity, the law of the realm. My judgment is more decisively swayed by that single passage, than by all the arguments of all the philosophers. If you do not extricate me from this dilemma, no human reasoning can, with all its subtilty, prevent me from deserting, at once, to the enemy.

B. You are involved, I see, in a common, but enormous, cloud of errour, by endeavouring to sanction tyranny by tyranny. For how great the tyranny of custom is, when it has once got thorough hold of the human mind, we have too often experienced in the present age, and learned sufficiently from ancient examples in the father of history, Herodotus. But ancient examples I need not produce, since the authors are open for your inspection. Consider in your own mind what multitudes of things, and those not unimportant, there are, in which the suggestions of reason have made you deviate from customs that ages had rendered inveterate; and you will be soon taught by domestick examples, that, of all others, the highway, which is here so much recommended, is the most dangerous to follow. Examine it, therefore, with cautious circumspection; and you will see it strewed with carnage, and choaked with ruins. But, if this truth be, according to the usual phrase, clearer than the light itself, I need not dwell longer either on the proof or on the illustration of so evident a proposition. As to the passage, however, quoted by you from the Book of Kings, and which you rather notice than explain, beware, I beseech you, of imagining that what God execrates in the life of tyrants he should approve in the conduct of kings. That you may draw no such inference, I desire you to consider first, what the people requested of God; next, what their reasons were for a new request; and, lastly,

laſtly, what was God's anſwer. Firſt, they requeſt a king. And of what ſort? A king circumſcribed by laws? Such they had; for Samuel had been appointed by God to preſide over them; and he had for many years adminiſtered juſtice in a legal manner, according to the directions of the divine law. But his ſons, who ſat as judges during his old age, were guilty of many flagitious acts, and in their deciſions violated the laws. Hitherto I cannot ſee that they had any juſt reaſon for deſiring a change, but rather a reform of the government, which they might certainly have expected from the beneficence of that God, who had not long before, and for a reaſon nearly ſimilar, extirpated the whole family of Heli. What then do they requeſt? A king, who might, as among the neighbouring nations, be their judge at home, and their general abroad. Now theſe were, in reality, tyrants. For, as the nations of Aſia diſcover greater ſervility of mind than the Europeans, ſo they will ſubmit with greater facility to the commands of tyrants; and, hence there is not, as far as I know, mention any-where made in hiſtorians of a king ſubject to laws in Aſia. Beſides, that a tyrant, and not a king, is here deſcribed, is readily deducible even from this circumſtance, that in Deuteronomy God had beforehand preſcribed to them a form of government, not only different, but perfectly the reverſe. According to this form, Samuel, and the reſt of the judges, had, for a ſeries of years, adminiſtered juſtice; and, when they rejected it, God complained that they had rejected him.

M. Yet God every-where ſtyles him king, and not tyrant.

B. He does, indeed, ſtyle him king; for it is peculiar to God, in addreſſing a popular aſſembly, to adopt popular language. Accordingly, in ſpeak-

ing to the commonalty, he uſes a common word: but that none might be deceived by its ambiguity, he explains here, diſtinctly, in what ſenſe it was taken among the neighbouring nations.

M. Though we ſhould admit the juſtneſs of your reaſonings upon that ancient example, we are ſtill more cloſely preſſed by a more modern inſtance in Paul, who commands us to pray for the life of ſovereigns, and is far from allowing us to renounce their authority, much leſs to dethrone, and, when dethroned, to murder them. And what princes does he thus recommend to our prayers? Of all that ever exiſted the moſt cruel, Tiberius, Caligula, Claudius and Nero; for theſe were coeval with the epiſtles of Paul.

B. In comparing the writings of all the philoſophers and lawyers with Paul's, you ſeem to me to act rightly, in allowing to his authority ſo much preponderance in the balance. But you ſhould conſider whether you have ſufficiently weighed his opinions; for you ought to examine not only his words, but alſo at what times, to what perſons, and for what purpoſes, he wrote. Firſt then, let us ſee what Paul wrote. In the third chapter of his letter to Titus, he writes, "Put ſubjects in mind to be obedient to principalities and powers, and to be ready for every good work." Here you ſee, I preſume, what end he aſſigns to obedience. In the ſecond chapter of his epiſtle to Timothy, the ſame apoſtle writes, "That we ſhould pray for all men, even for kings and other magiſtrates, that we may lead a peaceable life, in all godlineſs and purity." Here alſo you ſee that he propoſes, as the end of prayer, not the ſecurity of kings, but the tranquillity of the church; and hence it will be no difficult matter to comprehend his form of prayer. In his epiſtle to the Romans, his definition of a king

king is accurate, even to logical ſubtilty; for he ſays that a king is God's miniſter, wielding the ſword of the law for the puniſhment of the bad, and for the ſupport and aid of the good." "For theſe paſſages of Paul's," ſays Chryſoſtom, "relate not to a tyrant, but to a real and legitimate ſovereign, who perſonates a genuine God upon earth, and to whom reſiſtance is certainly reſiſtance to the ordinance of God." Yet, though we ſhould pray for bad princes, we ought not, therefore, to infer directly, that their vices ſhould not be puniſhed like the crimes of robbers, for whom alſo we are ordered to pray; nor, if we are bound to obey a good, does it follow that we ſhould not reſiſt a bad prince? Beſides, if you attend to the cauſe which induced Paul to commit theſe ideas to writing, you will find, I fear, that this paſſage is greatly againſt you; ſince he wrote them to chaſtiſe the temerity of certain perſons, who maintained that Chriſtians ought not to be under the control of magiſtrates. For, ſince the magiſtrates were inveſted with authority on purpoſe to reſtrain wicked men, to enable us all to live under equal laws, and to exhibit a living example of divine juſtice, they contended that he was of no uſe among perſons ſo uncontaminated by the contagion of vice as to be a law to themſelves. Paul, therefore, does not here treat of the magiſtrate, but of the magiſtracy, that is, of the function and duty of the perſon who preſides over others, nor of this nor of that ſpecies of magiſtracy, but of every poſſible form of government; nor does he contend againſt thoſe who maintained that bad magiſtrates ought not to be puniſhed, but againſt perſons who renounced every kind of authority; who, by an abſurd interpretation of Chriſtian liberty, affirmed that it was an indignity to men, emancipated by the Son of God, and directed

jected by God's Spirit, to be controlled by any human power. To refute this erroneous opinion, Paul shows that magistracy is not only a good, but a sacred and divine ordinance, and instituted expressly for connecting assemblages and communities of men, and to enable them, conjointly, to acknowledge God's blessings, and to abstain from mutual injuries. Persons raised to the rank of magistrates God has ordered to be the conservators of his laws; and, therefore, if we acknowledge laws to be, as they certainly are, good things, we must also acknowledge that their conservators are entitled to honour, and that their office is a good and useful institution. But the magistrate is terrible. To whom, I beseech you? To the good, or to the bad? To the good he cannot be a terrour, as he secures them from injury: but, if he is a terrour to the bad, it is nothing to you, who are directed by the Spirit of God. What occasion then is there, you will say, for subjecting me to the magistrate, since I am God's freedman? Much. To prove yourself God's freedman, obey his laws; for the spirit of God, of whose direction you boast, framed the laws, approves of magistracy, and authorises obedience to the magistrate. On this head, therefore, we shall easily come to an agreement, that a magistrate is necessary in the best constituted societies, and that he ought to be treated with every kind of respect. Hence, if any person entertains contrary sentiments, we deem him insane, intestable, and worthy of the severest punishment; since he openly resists God's will communicated to us in the Scriptures. For, supposing that no punishment for the violation of all laws, human and divine, should be inflicted on a Caligula, a Nero, a Domitian, and other tyrants of that sort, you have here no countenance from Paul, who is discoursing

diſcourſing of the power of magiſtrates, and of bad men, by whom it is badly exerciſed. Indeed, if you examine that kind of tyrants by Paul's rule, they will not at all be magiſtrates. Again, if you ſhould contend that even bad princes are ordained by God, take care leſt your language ſhould be charged with captiouſneſs. For God to counteract poiſon by poiſon, as an antidote, ſometimes ſets a bad man over bad men for their puniſhment; and yet that God is the author of human wickedneſs no man in his ſenſes will dare to affirm, as none can be ignorant that the ſame God is the author of the puniſhments inflicted on the wicked. Even a good magiſtrate generally chooſes a bad man to be the executioner in puniſhing the guilty. This executioner, though thus appointed by the magiſtrate to that office, is not, in conſequence, indulged with impunity for every crime, nor raiſed ſo high as not to be amenable to the laws. On this compariſon I ſhall dwell no longer, leſt the ſycophants of the court ſhould cry out that I ſpeak with too little reverence of the ſupreme magiſtrate. But, let their outcries be ever ſo loud, certainly they will never be able to deny that the function of the executioner is a part of publick, and perhaps alſo of kingly duty, even by the confeſſion of kings themſelves; ſince, when violence is offered to any publick miniſter, they complain that their own perſon and majeſty are violated. Now, if any thing can, certainly the puniſhment of the wicked muſt, conſtitute a part of the king's executive duty. In what predicament ſtand the governors of cities, the commandants of camps, the mayors of corporations, and other ſuperiour officers? Does Paul order us to be obedient alſo to them? or does he hold them private perſons? But not only all inferiour magiſtrates, but even thoſe who are upon an

an equality with kings, it is cuſtomary to call to an account for mal-adminiſtration. I could wiſh, therefore, that thoſe who dream of this mighty power conferred on kings by Paul's words would either ſhow, from the ſame Paul, that kings alone are to be underſtood in the name *powers*, and therefore to be alone exempted from legal animadverſion; or, if the word *powers* means alſo other magiſtrates appointed by the authority of the ſame God for the ſame purpoſe, that they would alſo ſhow where all magiſtrates are pronounced to be independent of law, and releaſed from the fear of puniſhment; or, where that immunity has been granted only to kings, and denied to others inveſted with publick authority.

M. But to the higher powers he commands all to be obedient.

B. He does ſo; but under the name of powers he muſt neceſſarily comprehend other magiſtrates alſo, unleſs you ſhould, perhaps, imagine that he thought ſtates not under a regal government to be without powers, and therefore mere anarchies.

M. That is not my belief, nor is the thing likely; and I am the more ſteadfaſtly of this opinion, that your interpretation of this paſſage is confirmed by the agreement of all the more learned commentators, who think Paul's diſſertation here intended againſt thoſe that contended for a total exemption from the control of all laws and magiſtrates.

B. What then do you think of what I lately ſaid? Is it your belief that the moſt cruel of all tyrants are not included in Paul's form of words?

M. Yes. For what do you allege to alter my belief? eſpecially as Jeremiah earneſtly admoniſhes the Jews, and that by divine command, to obey the king of the Aſſyrians, and by no means

to

to contravene his authority. And hence the inference is, by a ſimilar mode of reaſoning, drawn, that other tyrants alſo, however barbarous, ought to be obeyed.

B. Meaning to anſwer firſt what you advanced laſt, I muſt deſire you to remark that the prophet does not command the Jews to obey all tyrants, but only the king of the Aſſyrians. Therefore if, from a ſingle and particular command, you ſhould be inclined to collect the form of a general law, you cannot be ignorant, in the firſt place, as logick has taught you better, of what an abſurdity you will be guilty; and that you will, in the next place, be in danger of an attack, with ſimilar arms, from the enemies of tyranny. For you muſt either ſhow in what the ſingularity of this inſtance conſiſts, that you offer it as a fit object of imitation to all men on all occaſions; or, if that ſhould be impoſſible, you muſt acknowledge that, among all the ſpecial commands of God, whatever is ordered in the caſe of any ſingle individual extends equally to all mankind. If you once admit this inference, and admit it you muſt, it will be directly objected, that by God's order alſo Ahab was ſlain, and that a reward was both promiſed and paid by divine command to his murderer. Therefore, when you take refuge under the ſhelter of the obedience ſuppoſed to be due to all tyrants, becauſe God, by his prophet, commanded his own people to obey a ſingle tyrant, your ears will immediately ring with an oppoſite cant, that all tyrants ought to be ſlain by their own ſubjects, becauſe Ahab was, by divine command, murdered by the general of his own forces. Therefore I adviſe you either to provide from Scripture ſome ſtronger bulwark for your tyrants, or to ſet

it aſide for the preſent, and to return to the ſchools of philoſophers.

M. That hint I ſhall certainly take into conſideration. But, in the mean time, let us return to the point from which we digreſſed, and examine where the Scripture grants us a licence to murder princes with impunity.

B. My firſt argument is, that, as there is in Holy Writ, an expreſs command for the extirpation of crimes and criminals, without any exception of degree or rank, there is no where any peculiar privilege granted, in that reſpect, to tyrants, more than to private perſons; and my next is, that the definition of powers furniſhed by Paul does not, in the leaſt, refer to tyrants; as they accommodate the whole plan of their government, not to the utility of the people, but to the gratification of their own luſts. Beſides, you muſt note, with particular attention, of what vaſt conſequence Paul has made biſhops, beſtowing upon their office the higheſt encomiums, and making them, in the oppoſite ſcale of compariſon, correſpond, in ſome meaſure, to kings, at leaſt as far as the nature of their reſpective functions will admit. For the former are phyſicians for internal, and the latter for external maladies; and yet he has not directed that the one claſs ſhould be free and looſe from the other's juriſdiction; but that, as biſhops are, in the exerciſe of the common duties of civil life, ſubject to kings, ſo kings alſo ſhould obey the ſpiritual admonitions of biſhops. Now theſe biſhops, though exalted to ſuch a height of majeſty and grandeur, are not exempted by any law, human or divine, from puniſhment for their crimes. And, without mentioning others, the Pope himſelf, who is in ſome meaſure deemed a biſhop of biſhops, and who riſes ſo far above the eminence of all kings,

kings, that he would be reckoned a kind of God among mortals, is not even, by his own friends, the canoniſts, the claſs of men moſt devoted to his will, exempted from legal puniſhment For judging it abſurd for a God, a name which they do not heſitate to give him, to be ſubject to human animadverſion, and thinking it unjuſt that the greateſt crimes, and moſt flagitious enormities, ſhould remain unpuniſhed, they deviſed a method by which both the crimes might be puniſhed, and the Pope be ſtill held ſacred and inviolable. For they declared the right of the Pope to be one thing, and the right of the perſon, who ſhould be Pope, another; and, while they exempt the Pope, whom they inveſt with the attribute of infallibility, from the cogniſance of the laws, they ſtill acknowledge the perſon, who is Pope, to be liable to vices, and puniſhable for his vices: and to this doctrine they have given their unequivocal ſanction, not more by the ſubtilty of their reaſonings, than by the ſeverity of their puniſhments. It would be tedious to enumerate the pontiffs, or, in their language, the men who bore the character of pontiffs, and were during their lives not only forced to forſwear the office, but, even after their death, dug from their tombs and caſt into the Tiber. Without recurring to ancient examples, we need only refer to the late inſtance of Paul the Fourth, whoſe fate is ſtill freſh in our memories, and againſt whom his favourite Rome expreſſed the common hatred by a new kind of decree. For the vengeance from which he had eſcaped was wreaked upon his relations, upon his ſtatues, and upon his portraits. Nor ought you to imagine that exceſſive ſubtilty is couched under this interpretation, by which we ſeparate the perſon from the power; ſince it is acknowledged even by philoſophy, and

approved by the ancient commentators, and it is not unknown to the untutored vulgar, however little accuſtomed to the refinements of diſputation. Mechanicks do not conſider it as a diſgrace to their trade, that either a carpenter or baker is puniſhed for an act of robbery; but rejoice rather that their company is purged from the ſtain of ſuch infamous malefactors. If any of them ſhould entertain a contrary ſentiment, there is, I think, reaſon to fear that he grieves more at the puniſhment of men with whom he is connected by a conſcious-neſs of guilt, than at the infamy of his company. Indeed, if kings did not form their councils of miſcreants and flatterers, and meaſure their own importance by the gratitude due to their virtues rather than by the impunity of their crimes, they would, in my opinion, not be vexed at the puniſhment of tyrants, or think that their fate, however grievous, was any diminution of regal dignity; but rather be pleaſed to ſee its honour cleared from a ſtain of ſo foul a nature; eſpecially ſince they uſe to be violently angry, and with great juſtice, with thoſe who cloak their own miſdeeds under the regal name.

M. And not without reaſon, aſſuredly. But I wiſh that you would quit this topick, and proceed to the other ſubjects, which you propoſed to handle.

B. What ſubjects, pray, do you mean?

M. The periods in which Paul compoſed his writings, and the perſons to whom he addreſſed them; for I am eager to know of what advantage the knowledge of theſe circumſtances can be to your argument.

B. Here, too, you ſhall be humoured. And firſt, in treating of the time, let me obſerve that Paul wrote theſe paſſages when the infant church was ſtill

ſtill in her cradle; a time that made it neceſſary for her not only to be free from guilt, but alſo not to afford even an unjuſt cauſe of accuſation to perſons in active ſearch of a handle for calumny; and, in the next place, that he wrote to men collected from various nations, and indeed from the whole extent of the Roman empire, into one blended maſs. Among theſe there were but few diſtinguiſhed for opulence; hardly any that were, or had been, magiſtrates; not many that held the rank of citizens, and theſe moſtly lodgers, or even mere freedmen; and the reſt almoſt all mechanicks and ſlaves. Among theſe, however, there were not wanted men who extended Chriſtian liberty farther than the ſimplicity of the Goſpel would admit. Accordingly, this multitude, compoſed of a promiſcuous crowd of plebeians, that, with great labour, gained a ſcanty livelihood, had not ſo much reaſon to be anxious about the form of the government, the majeſty of the empire, and the life and duty of kings, as about publick tranquillity and domeſtick repoſe, and could hardly claim any other bleſſing but the happineſs of being any-how ſheltered under the ſhade of the empire. If ſuch men attempted to graſp any part of the publick adminiſtration, they deſerved to be conſidered not only as fooliſh, but abſolutely inſane; and they would deſerve it ſtill more, if they iſſued from their cells, and proved troubleſome to the miniſters who managed the helm of government. There was a neceſſity, too, for checking premature luxury, that ill-omened interpreter of Chriſtian liberty. What then did Paul write? No new precepts, certainly, but thoſe common maxims, that ſubjects ſhould be obedient to the magiſtrates, ſervants to their maſters, wives to their huſbands, and not imagine that the yoke of the Lord, though light, releaſes us from the ties of morality;

morality; but ought rather to make us more conſcientious in the obſervance of them, ſo that, in all the gradations of duty, we might omit nothing that could help us to conciliate the good will of all men by honeſt practices. The ultimate conſequence would thus be, that the name of God would, to all nations, ſound more pleaſing, and the glory of the Goſpel would be more widely diffuſed. To effect theſe purpoſes, there was a neceſſity for publick peace, of which princes and magiſtrates, though, perhaps, bad men, were the conſervators. Do you wiſh to have this matter ſet before your eyes in a lively picture? Figure to yourſelf any of our doctors to be writing to the Chriſtians now living under the Turks; to men, I ſay, of ſlender fortune, of humble mind, without arms, few in number, and expoſed to every injury from every man; what other advice, I pray, could he give, but the advice of Paul to the church at Rome, and of Jeremiah to the exiles in Aſſyria? Now a moſt concluſive argument, that Paul's attention was here directed ſolely to thoſe perſons, to whom he was then writing, and not to the whole body of the citizens, is, that though he minutely explains the mutual duties of huſbands to their wives, of wives to their huſbands, of parents to their children, of children to their parents, of maſters to their ſlaves, and of ſlaves to their maſters, he does not, in deſcribing the duty of a magiſtrate, addreſs, as in the preceding parts, them expreſsly by name. For what reaſon then muſt we ſuppoſe that Paul gave no directions to kings and to other magiſtrates, eſpecially as their paſſions required much more than thoſe of private perſons the coercive reſtraints of law? What other reaſon can we imagine, but that, at the time in queſtion, there were neither kings nor other magiſtates to whom he

he could write. Conceive Paul to be living in our times, when not only the people, but the ſovereigns adopt the name of Chriſtians. At the ſame period, let there be a prince, who thinks that not only human, but alſo divine laws, ought to be ſubſervient to his capricious luſts; who would have not only his decrees, but even his nods, held as laws; who, as Paul ſays in the Goſpel, "neither fears God nor reverences men;" who, not to ſay any thing worſe, ſquanders the revenues of the church upon paraſites and buffoons; who derides the ſincere obſervers of religion, and deems them fools and madmen: what, do you think, would Paul write concerning ſuch a man? If he ſhould wiſh to be thought conſiſtent, he will declare him unworthy of being reckoned a magiſtrate; he will put all Chriſtians under an interdict to abſtain from all familiarity, all converſation, and all communion with him; his puniſhment by the civil laws he will leave to the citizens, and will not think them ſtepping beyond their duty, when they announce that the man, with whom the divine law will allow them no commerce, can no longer be their king. But the ſervile herd of courtiers, finding every honourable reſource fail, will have the impudence to ſay, that God, in his wrath, lets tyrants looſe upon nations, as publick executioners, to wreak their vengeance. Now, though I ſhould acknowledge the truth of this aſſertion, yet it is equally true, that God generally excites ſome poor and almoſt unknown individuals of the loweſt vulgar to check the extravagant pride and lawleſs career of tyrants. For God, as was ſaid before, commands the wicked to be exterminated, and excepts neither rank, nor ſex, nor condition, nor even perſon; ſince to him kings are not more acceptable than beggars. It may, therefore, be truly

truly affirmed, that God, who is equally the Father of all, from whose eye nothing can be hid, and whose power nothing can resist, will leave no crime unpunished. Besides, another parasite may perhaps start up, and ask me to produce, from Holy Writ, an example of a king punished by his subjects; and yet, if no such instance should immediately occur, it will not directly follow that what we do not there read should be held wicked and nefarious. I can enumerate, from the codes of many nations, numerous and most wholesome laws, of which there is not the least trace in the sacred Scriptures. For, as it has been established by the unanimous consent of all men, that what the law commands should be deemed just, and what it forbids unjust, so we find no human records which forbid us ever to do what is not contained in the law. For such servility has never been recognised; nor will the nature of human affairs, so fruitful in new examples, allow it to be recognised to such a degree, that whatever is not ordained by some law, or evidenced by some illustrious record, should be instantly reckoned wicked and nefarious. Therefore, if any man should require of me to show him, in the books of the sacred volumes, an instance in which the punishment of kings is approved, I shall reciprocally ask where it is disapproved. Indeed, if it should be a rule that nothing ought to be done without a precedent, only a small remnant of our civil constitutions, and even of our laws, will continue standing: for the greatest part of them is founded, not upon ancient precedents, but established in opposition to new and unprecedented encroachments. But now we have given a fuller answer than the case required to the sticklers for precedents. For, though the kings of the Jews should not have been punished by their subjects,

ſubjects, it does not greatly affect our reaſoning; as they were not originally created by the people, but aſſigned to them by God. With very good reaſon, therefore, he who conferred the honour alſo exacted the puniſhment. But we contend that the people, from whom our kings derive whatever power they claim, is paramount to our kings; and that the commonalty has the ſame juriſdiction over them which they have over any individual of the commonalty. The uſages of all nations, that live under legal kings, are in our favour; and all ſtates, that obey kings of their own election, in common adopt the opinion that whatever right the people may have granted to an individual, it may, for juſt reaſons, alſo re-demand. For this is an inalienable priviiege which all communities muſt have always retained. Accordingly Lentulus, for having conſpired with Cataline to overturn the republick, was forced to reſign the prætorſhip; and the decemvirs, the founders of the laws, though inveſted with ſupreme magiſtracy, were degraded; and ſome Venetian Doges, and Cholperick, king of the Franks, after being ſtripped of every imperial badge, grew old, as private perſons, in monaſteries; and not long ago, Chriſtian, king of the Danes, ended his life in priſon twenty years after he had been dethroned. Nay, even the dictatorſhip, which was a ſpecies of deſpotiſm, was ſtill ſubordinate to the power of the people. And it has been every-where an invariable uſage, that public favours, improperly beſtowed, might be reclaimed; and that even liberty, the favourite object of law, might be taken from ungrateful freedmen. Theſe obſervations, which, I hope, will be ſufficient, I have made, that we may not ſeem to be the only people who have adopted what is called a new practice towards our kings. Every

thing, that properly relates to us, might have been diſpatched in few words.

M. In what manner? This is an argument which I ſhould be much pleaſed to hear diſcuſſed.

B. I could enumerate twelve or more of our kings, who, for their villany or flagitiouſneſs, were either condemned to perpetual impriſonment, or eſcaped the puniſhment due to their crimes, by exile or by death. But, that none may allege that I produce antique and obſolete precedents, if I ſhould mention the Calens, Ewens and Ferchars, I ſhall go back for a few examples no farther than the memory of our fathers. James the Third was, in a publick aſſembly of all the orders, declared to have been juſtly ſlain for his extreme cruelty to his relations, and for the enormous turpitude of his life; and in the act there was inſerted a clauſe, providing that thoſe who had projected the conſpiracy, or aided by their perſon or their purſe, ſhould never, on that account, be injured or moleſted.

What they declared, after the event, to have been a juſt and regular act, they undoubtedly meant to propoſe as an example to poſterity, and that certainly with no leſs propriety than Quinctius acted, when he delivered from the tribunal a panegyrick on Servilius Ahala, for having, in the Forum, ſlain Spurius Mælius, who heſitated and refuſed to plead his cauſe in a court of law; and gave it as his opinion, that he was not polluted with the blood of a citizen, but ennobled by the death of a tyrant; and found his opinion confirmed by the applauding voice of ſucceeding generations. When he thus approved the aſſaſſination of a man who only aimed at tyranny, what do you think he would do to a tyrant, who, upon the goods of his fellow citizens, practiſes robbery, and upon their

perſons

perſons the trade of a butcher? What was the conduct of our countrymen? In granting, by a public decree, impunity to a perpetrated deed, they certainly enacted a law including any ſimilar event that might occur in future. For, in the reſult, it makes no difference whether you paſs ſentence upon what is paſt, or enact a ſtatute for what is to come; for in either way you give judgment concerning the nature of the fact, and concerning the puniſhment or reward of its author.

M. Theſe arguments, perhaps, will, among our people, be deemed valid; but abroad, among other nations, I know not how they will be reliſhed. You ſee that I muſt ſatisfy them, not as in a court of juſtice agitating a criminal queſtion, but before the publick eye a queſtion of reputation, affecting, indeed, not myſelf, as I am far beyond the reach of ſuſpicion, but my countrymen. For I am afraid that the decrees, by which you think yourſelf ſufficiently juſtified, will be blamed by foreign nations more than the deed itſelf, however pregnant with odium and atrocity. With reſpect to the precedents which you have produced, you know, if I miſtake not, what is uſually ſaid by every man according to his particular diſpoſition and diſcernment. Therefore, ſince you ſeemed to me to have derived your explanation of other topicks, not ſo much from the decrees of men as from the fountains of nature, I wiſh that you would, in a few words, unfold what you have to ſay for the equity of that law.

B. Though to plead in a foreign court, in defence of a law adopted from the firſt origin of the Scottiſh monarchy, juſtified by the experience of ſo many ages, neceſſary to the people, neither ſevere nor diſhonourable to their kings, and not till now

accuſed of inconſiſtency with natural law, may ſeem unreaſonable; yet, on your account, I ſhall make the trial. And, as if I were arguing with the very perſons who may be diſpoſed to give you trouble, firſt I aſk, What is it that you find here worthy of cenſure? Is it the cauſe which gave riſe to the law, or the law itſelf? The cauſe was a deſire to reſtrain the unbridled paſſions of kings; and he who condemns this purpoſe muſt condemn all the laws of all nations, as they were all enacted for the ſame reaſon. Is it the law itſelf that you cenſure, and do you think it reaſonable that kings ſhould be freed from every reſtraint of law? Let us alſo examine whether ſuch a plan is expedient. To prove that it cannot be expedient for the people, we need not waſte many words. For, if in the preceding part of our converſation we were right in comparing a king to a phyſician, it is evident that, as it was there proved not to be expedient for the people that a phyſician ſhould be allowed to kill any man at pleaſure, ſo it cannot be advantageous to the public to grant to a king a licence to commit promiſcuous havock among the whole community. With the people, therefore, who poſſeſs the ſovereign power in making the law, we ought not to be angry, if, as they wiſh to be governed by a good king, they ſhould alſo wiſh that a king, who is not the very beſt of men, ſhould be governed by the law. Now, if this law be not advantageous to the king, let us ſee whether he ought to propoſe to the people to relinquiſh ſome part of their right, and let us appoint the meeting of parliament for the conſideration of its repeal, not at the third market, but, according to our cuſtom, on the fortieth day. In the mean time, in order to diſcuſs here, between ourſelves, the propriety of the meaſure, allow me to aſk you, Whether you

you think that he, who releaſes a man in a ſtate of inſanity from a ſtrait-waiſtcoat, conſults the true intereſt of the inſane perſon?

M. By no means.

B. What do you ſay of him, who, at his conſtant requeſt, gives to a man, labouring under ſuch a paroxyſm of fever as not to be far from inſanity, cold water? Do you conceive him to deſerve well of his patient?

M. But I ſpeak of kings in their ſound ſenſes; and deny that men in full health have any occaſion for medicines, or kings in their ſound ſenſes for laws. But you would have all kings be thought bad, for upon all you impoſe laws.

B. Not all bad, by any means; but neither do I look upon the whole people as bad; and yet the law addreſſes the whole with one voice. That voice the bad dread, and the good, being not concerned, hear at their eaſe. Thus neither good kings have any reaſon for feeling indignant at this law; nor would bad kings, if they had wiſdom, fail to return thanks to the legiſlator for ordaining that what he conceived likely to be in the event prejudicial ſhould in the act be illegal. If ever they ſhould recover a ſound ſtate of mind, they will certainly come to this reſolution, like perſons relieved from a diſtemper, and expreſſing their gratitude to the phyſician whom they hated for not gratifying the calls of their ſickly appetites. But, if they ſhould continue in their ſtate of inſanity, he who humours them moſt ſhould be deemed moſt their enemy. In this claſs we muſt rank flatterers, who, by cheriſhing their vices with blandiſhments, exaſperate their diſeaſe, and generally fall headlong at laſt in one common ruin with their kings.

M. Cer-

M. Certainly I cannot deny that ſuch princes deſerved, and ſtill deſerve, to be fettered by laws. For no monſter is more outrageous, or more pernicious than man, when, as in the fables of the poets, he has once degenerated into a brute.

B. On this aſſertion you would inſiſt ſtill more if you had remarked what a complicated animal man is, and of what various monſters he is compoſed. This truth the ancient poets diſcerned with great acuteneſs, and expreſſed with no leſs elegance, when they record that, in the formation of man, Prometheus borrowed from the ſeveral animals certain particles with which he conſtituted his mingled frame. To recount the natures of all ſeparately would be endleſs; but, undoubtedly, there appear evidently in man two abominable monſters, anger and luſt. And what elſe is the effect, or the object of laws, but to render theſe monſters obedient to reaſon, and to coerce them, while not obedient, by the power of their mandates. He, therefore, who releaſes either a king, or any other man, from the ſhackles of law, releaſes not only a ſingle man, but ſets looſe againſt reaſon two of the moſt cruel monſters, and arms them for breaking through the barriers of order: ſo that truth and rectitude ſeem to have guided the tongue of Ariſtotle, when he ſaid that "He who obeys the laws, obeys God and the law; and that he who obeys man, obeys man and a wild beaſt."

M. Though theſe doctrines ſeem to be expreſſed with much neatneſs and elegance, yet I think that we have fallen into a double errour; firſt, becauſe our laſt inferences do not ſeem to be perfectly correſpondent to the premiſes; and next, becauſe, though we ſhould, in other reſpects, be found conſiſtent,

ſiſtent, yet we have not, in my opinion, made any conſiderable progreſs towards the end of our inveſtigation. In the preceding part, we agreed that the voice of the king and of the law ſhould be the law; but here we have made it dependent on the law. Now, though we ſhould grant all this reaſoning to be ever ſo juſt, what great advantage do we derive from the conceſſion? Who will call a king that has become a tyrant to an account? For I fear that juſtice, unſupported by phyſical ſtrength, will not, of itſelf, be ſufficiently powerful to coerce a king that has forgotten his duty, or to drag him by violence to plead his cauſe.

B. I ſuſpect that you have not ſufficiently conſidered the concluſions founded on our preceding debate about the regal power. For, if you had ſufficiently conſidered them, you would have eaſily ſeen that the obſervations which you have juſt advanced are not in the leaſt repugnant. That you may the more readily comprehend my meaning; firſt give me an anſwer to this queſtion: "When a magiſtrate, or ſecretary, puts words into the mouth of the publick crier, is not the voice of both the ſame;—the voice, I mean, of the crier and of the ſecretary?"

M. The ſame entirely.

B. Which of the two appears to you to be the ſuperiour?

M. He that dictates the words.

B. What do you think of the king, the author of the edict?

M. That he is greater than either.

B. According to this repreſentation, then, let us compare the king, the law, and the people. Hence we ſhall find the voice of the king and of the law to be the ſame. But whence is their authority derived?

derived? The king's from the law, or the law's from the king?

M. The king's from the law.

B. How do you come at that concluſion?

M. By conſidering that a king is not intended for reſtraining the law, but the law for reſtraining the king; and it is from the law that a king derives his quality of royalty; ſince without it he would be a tyrant.

B. The law then is paramount to the king, and ſerves to direct and moderate his paſſions and actions.

M. That is a conceſſion already made.

B. Is not then the voice of the people and of the law the ſame?

M. The ſame.

B. Which is the more powerful, the people or the law?

M. The whole people, I imagine.

B. Why do you entertain that idea?

M. Becauſe the people is the parent, or at leaſt the author of the law, and has the power of its enactment, or repeal, at pleaſure.

B. Since the people, then, is more powerful than the king, let us ſee whether it is not before the people that he muſt be called to account. And here let us inquire, whether what has been inſtituted for the ſake of another is not of leſs value than the object of its inſtitution.

M. That propoſition I wiſh to hear more diſtinctly explained.

B. Attend to the following line of argument.—Is not the bridle made for the horſe?

M. For the horſe undoubtedly.

B. What do you ſay of the ſaddle, the harneſs and ſpurs?

M. That

M. That they were intended for the ſame purpoſe.

B. Therefore, if there was no horſe, they would be of no uſe.

M. Of none.

B. A horſe then takes the lead of them all.

M. Certainly.

B. What do you think of the horſe? For what uſe is he ſo much in requeſt?

M. For many; and particularly for gaining victory in war.

B. Victory then we value more than horſes, arms, and other preparatory inſtruments of war.

M. Much more, indiſputably.

B. In the creation of a king what had men principally in view?

M. The intereſt of the people, I believe.

B. Therefore, if there were no ſociety of men, there would be no occaſion for kings.

M. None at all.

B. The people, therefore, takes the lead of the king.

M. The concluſion is unavoidable.

B. If the people takes the lead, it is alſo entitled to the ſuperiority. Hence, when the king is called before the tribunal of the people, an inferiour is ſummoned to appear before a ſuperiour.

M. But when can we hope for the felicity of ſeeing the whole people unanimouſly agree to what is right?

B. That is indeed a bleſſing, of which we can ſcarcely have any hope, and of which we need not certainly wait in expectation; ſince, otherways, no law could be paſſed, nor magiſtrate created. For there is hardly any law ſo equitable to all, or any man ſo much in poſſeſſion of popular favour, as not to be ſomewhere the object either of enmity,

mity, or of envy, or of detraction. The only queſtion is, whether the law is advantageous to the majority, and whether the majority has a good opinion of the candidate? Therefore, if the people can ordain a law, and create a magiſtrate, what hinders it to paſs ſentence upon him, and to appoint judges for his trial? Or, if the tribunes of the people at Rome, or the Ephori at Sparta, were appointed to mitigate the rigour of kingly government, why ſhould any man think it iniquitous, in a free people, to adopt in a ſimilar, or even a different manner, proſpective remedies for checking the enormities of tyranny?

M. Here, I think, I nearly ſee how far the power of the people extends; but what its will may be, what laws it may paſs, it is difficult to judge. For the majority is commonly attached to ancient uſages, and abhors novelty; a circumſtance the more ſurpriſing, that its inconſtancy in food, raiment, building, and every ſpecies of furniture, is notorious.

B. Do not imagine that I have made theſe remarks, becauſe I wiſh here to introduce any novelty. No; my ſole object was to ſhow that it was an ancient practice to make kings plead their cauſe before a court of juſtice: a thing which you conceived to be not only a novelty, but almoſt an incredibility. For, without mentioning the numerous inſtances of it among our forefathers, as we have before obſerved, and as you may yourſelf eaſily learn from hiſtory, have you never heard that candidates for the crown referred their diſpute to arbitrators?

M. That ſuch a mode of deciſion was adopted once by the Perſians I have certainly heard.

B. Our hiſtorians record, that our Græme, and our Malcolm the Second, followed the ſame plan.

But,

But, that you may not allege that it is not by their own conſent that the litigants ſubmit to this kind of arbitrators, let us come to the ordinary judges.

M. Here I fear that you will be reduced to the ſame dilemma with thoſe who ſhould ſpread a net in the ocean to catch whales.

B. How ſo?

M. Becauſe arreſt, coercion, and animadverſion, muſt always deſcend from the ſuperiour to the inferiour. Now, before what judges will you order the king to appear? Before thoſe on whom he is inveſted with ſupreme power to paſs ſentence, and whoſe proceedings he is empowered to quaſh by a mere prohibition?

B. But what will you ſay, if we ſhould be able to diſcover a ſuperiour power that has the ſame claim of juriſdiction over kings that kings have over others?

M. That topick I wiſh to hear argued.

B. This very juriſdiction, if you recollect, we found to be veſted in the people.

M. In the whole people, I own, or in the greater part. Nay, I grant you ſtill more, that it is veſted in thoſe to whom the people, or a majority, may have transferred that power.

B. You are obliging in relieving me from that labour.

M. But you are not ignorant that the greater part of the people is, either through fear or rewards, or from the hope of bribes, or of impunity, ſo corrupt as to prefer their own intereſts or pleaſures to the publick utility, and even to perſonal ſafety. Beſides, thoſe, who are not influenced by theſe conſiderations, are not very many; for

> The good are rare, and can in numbers ſcarce pretend,
> With Nile in mouths, or Thebes in portals, to contend.

All the remaining dregs of the ſink, that are fattened with blood and ſlaughter, envy other men's liberty, and ſell their own. But, forbearing to mention perſons to whom the very name even of bad kings is ſacred, I omit alſo thoſe, who, though not ignorant of the extent of law and equity, ſtill prefer peaceable ſloth to honourable danger, and, in ſuſpenſe of mind, adapt all their ſchemes to their expectations of the event, or follow the fortune, not the cauſe, of the parties. How numerous this claſs of people is likely to be cannot eſcape your notice.

B. Numerous, undoubtedly, they will be; but not the moſt numerous claſs. For the injuries of tyrants extend to multitudes, and their favours but to few. For the deſires of the vulgar are inſatiable, and, like fires, require a conſtant ſupply of freſh fuel: for what is forcibly extorted from multitudes ſupports a few in a ſtarving condition, inſtead of ſatisfying their hunger. Beſides, the attachment of ſuch men is variable,—

And ſtill with fortune's ſmiles both ſtands and falls.

But, if they were ever ſo conſiſtent in their plan of politicks, yet they do not deſerve to be ranked among citizens; for they infringe, or rather betray, the rights of human ſociety; a vice, which, if intolerable in a king, is much more ſo in a private individual. Who then are to be reckoned citizens? Thoſe who obey the laws and uphold the ſocial compact, who chooſe rather to undergo all labours and all dangers for the common ſafety than, diſhonourably, to grow old in eaſe and ſloth, who always keep before their eyes, not the enjoyments of the preſent hour, but the meed of eternal fame among poſterity. Hence, if any perſons ſhould be deterred from incurring danger through fear

fear or regard to their property, yet ſtill the ſplendour of a glorious action, and the beauty of virtue, will rouſe deſponding minds; and thoſe who will not have the courage to be the original authors or leading actors will not refuſe to be companions. Therefore, if citizens be eſtimated, not by their number, but by their worth, not only the better, but alſo the greater part will take their ſtand in the ranks of liberty, of honour, and of national defence. For that reaſon, if the whole body of the populace ſhould be of a different ſentiment, it cannot in the leaſt affect the preſent argument; becauſe the queſtion is not what is likely to happen, but what may be legally done. But now let us come to the ordinary judges.

M. Of that diſcuſſion I have been long in expectation.

B. If a private perſon ſhould urge that the king, in violation of all equity, keeps poſſeſſion of the whole, or any part of his landed eſtate, how do you think this perſon is to act? Shall he reſign his land, becauſe he cannot appoint a perſon to ſit in judgment on the king?

M. By no means. But he will call not upon the king, but upon his attorney to appear in court.

B. Now mark the force and tendency of the ſubterfuge which you uſe. For it makes no difference to me, whether the king ſhall appear, or his attorney; ſince, either way, the litigation muſt proceed at the riſk of the king, and the loſs or gain from the iſſue of the ſuit will be his, and not his attorney's. In a word, he is himſelf the culprit, or the perſon whoſe intereſt is in diſpute. Now I wiſh that you would conſider, not only how abſurd, but alſo how iniquitous it is to permit a ſuit to be commenced againſt a king for a paltry piece of land, for a ſkylight or a gutter, and to refuſe all

all juſtice in a caſe of parricide, empoiſonment, or murder; in ſmall matters to uſe the utmoſt ſeverity of law; and on the commiſſion of the moſt flagitious crimes to allow every licence and impunity; ſo as to make the old ſaying appear an abſolute truth, 'that the laws are mere cobwebs, which entangle flies, and leave a free paſſage to large inſects.' Nor is there any juſtice in the complaint and indignation of thoſe who ſay that it is neither decent nor equitable that a man of an inferiour order ſhould paſs ſentence upon a king, ſince it is a known and received practice in a queſtion of money or land, and the moſt elevated perſons after the king generally plead their cauſe before judges, that are neither in riches, nor in nobility, nor in merit, their equals, nor indeed much ſuperiour in eminence to the vulgar, and are much farther below the defendants in the ſcale of citizenſhip than men of the higheſt rank are below kings. And yet kings and men of the firſt quality think this circumſtance no degradation from their dignity. Indeed, if we ſhould once acknowledge it as a received maxim that the judge muſt always be, in every reſpect, ſuperiour to the defendant, the poor muſt wait in patient expectation till the king has either inclination or leiſure to inquire into any charge of injuſtice preferred againſt a noble culprit. Beſides, their complaint is not only unjuſt, but falſe; for none that comes before a judge comes before an inferiour; eſpecially as God himſelf honours the tribe of judges ſo far as to call them, not only kings, but even gods, and thus to communicate to them, as far the thing is poſſible, his own dignity. Accordingly, the popes of Rome, who graciouſly indulged kings with leave to kiſs their toes, who on their approach ſent their own mules to meet them, as a mark of honour, who trod upon

the

the necks of emperors, were all obedience when ſummoned into a court of juſtice; and, when ordered by their judges, reſigned the pontifical office. John the Twenty-ſecond having after his flight been dragged back in chains, and releaſed, at laſt, with difficulty for money, proſtrated himſelf before another that was ſubſtituted in his place, and by that proſtration ſanctioned the decree of his judges. What was the conduct of the ſynod of Bâle? Did it not, by the common conſent of all the orders, determine and ordain that the pope is ſubject to a council of prieſts? By what means thoſe fathers were perſuaded to come to this reſolution you may learn from the acts of the councils. I know not, then, how kings, who allow the majeſty of the popes to exceed theirs ſo much in eminence as to overſhadow them all with the height of its exaltation, can think it any diminution of their dignity to ſtand in that place to which a pope, who ſat upon a much higher throne, thought it no indignity to deſcend; namely, to plead his cauſe before a council of cardinals. Why ſhould I mention the falſehood chargeable upon the complaint of thoſe who expreſs indignation at ſeeing kings ſummoned before the tribunal of an inferiour? For he that condemns or acquits in judicial queſtions is not a Titius, or a Sempronius, or a Stichus, but the law itſelf; to which obedience in kings is declared to be honourable by two illuſtrious emperors, Theodoſius and Valentinian. Their very words, as they richly deſerve to be remembered in every age, I ſhall here quote:—"It is an expreſſion," ſay they, "worthy of the ſovereign's majeſty, to confeſs that the prince is bound by the laws. And, in reality, the imperial dignity is exalted by ſubjecting the prince's power to the laws; and that we announce, by the oracle of the preſent edict, which ſpecifies what licence we do not allow

allow to another." Theſe ſentiments were ſanctioned by the beſt of princes, and cannot but be obvious to the worſt. For Nero, when dreſſed like a muſical performer, is ſaid to have been obſervant, not only of their motions and geſtures, but alſo to have, at the trial of ſkill, ſtood ſuſpended between hope and fear, in anxiety for victory; for, though he knew that he ſhould be declared victorious, yet he thought the victory would be more honourable, if he obtained it, not from courtly adulation, but by a regular conteſt; and he imagined that the obſervation of its rules tended not to the diminution of his authority, but to the ſplendour of his victory.

M. Your language, I ſee, is not ſo extravagant as I firſt had thought, when you wiſhed to ſubject kings to the laws; for it is founded, not ſo much upon the authority of philoſophers, as of kings and emperors and eccleſiaſtical councils. But I do not thoroughly comprehend what you mean by ſaying, that in this caſe the judge is not the man, but the law.

B. Refreſh your memory a little with a review of our former deductions. Did we not ſay that the voice of the king and of the law was the ſame?

M. We did.

B. What is the voice of the ſecretary and of the crier, when the law is proclaimed?

M. The ſame.

B. What is that of the judge, when he grounds his deciſions on the law?

M. The ſame.

B. But whence is their authority derived,—the judge's from the law, or the law's from the judge?

M. The judge's from the law.

B. The efficacy of the ſentence then ariſes from the law, and the pronunciation of the words only from the judge.

M. So

M. So it ſeems.

B. Nay, what can be more certain; ſince the ſentence of a judge, if conformable to law, is valid; and, if otherways, null?

M. Nothing can be more true.

B. You ſee, then, that the judge derives his authority from the law, and not the law from the judge.

M. I do.

B. Nor does the humble condition of the publiſher impair the dignity of the law; but its dignity, whether it be publiſhed by a king, or by a judge, or by a crier, is always the ſame.

M. Completely ſo.

B. The law, therefore, when once ordained, is firſt the voice of the king, and next of others.

M. It is ſo.

B. A king, therefore, when condemned by a judge, ſeems to be condemned by the law.

M. Clearly.

B. If he is condemned by the law, he is condemned by his own voice; ſince the voice of the law and of the king is the ſame.

M. By his own voice it ſhould ſeem, as much as if he were convicted by letters written with his own hand.

B. Why then ſhould we be ſo much puzzled by ſcruples about the judge, when we have the king's own confeſſion, that is, the law, in our poſſeſſion? Nay, let us alſo examine an idea that has juſt come into my head, whether a king, when he ſits as judge in a cauſe, ought not to diveſt himſelf of every character,—of a brother's, a father's, a relation's, a friend's, and an enemy's, and to conſider only his function as a judge?

M. He ought.

B. And to attend ſolely to that character which is peculiarly adapted to the cauſe?

M. I wiſh that you would here ſpeak with more perſpicuity.

B. Attend then.—When any man clandeſtinely ſeiſes another's property, what name do we give to the deed?

M. We call it theft.

B. And by what appellation do we qualify the actor?

M. By the appellation of thief.

B. What do we ſay of him who uſes another man's wife as his own?

M. That he commits adultery.

B. What do we call him?

M. An adulterer.

B. How do we denominate him who ſits to judge?

M. We ſtyle him judge.

B. In the ſame manner, alſo, names may be given to others from the actions in which they are employed.

M. They may.

B. A king, therefore, in adminiſtering juſtice, ought to diveſt himſelf of every character but a judge's.

M. He certainly ought, and particularly of every character that can, in his judicial capacity, be prejudicial to either of the litigants.

B. What do you ſay of him who is the ſubject of the judicial inquiry? What name ſhall we give him from the legal action?

M. We may call him culprit.

B. And is it not reaſonable that he ſhould lay aſide every character likely to impede the legal courſe of juſtice?

M. If he ſhould ſtand in any other predicament but a culprit's, it is certainly nothing to the judge: ſince,

ſince, in a judicial queſtion, God orders no reſpect to be paid even to the poor.

B. Therefore, if any man, who is both a painter and a grammarian, ſhould be engaged in a law-ſuit about painting with another who is a painter, but no grammarian, ought he, in this caſe, to derive any advantage from his ſkill in grammar?

M. None.

B. Nor from his ſkill in painting, if he ſhould be contending for ſuperiority in grammar?

M. Juſt as little.

B. In a judicial trial, therefore, the judge will recogniſe only one name; to wit, that of the crime, of which the plaintiff accuſes the defendant.

M. One only.

B. Therefore, if the king be accuſed of parricide, is the name of king of any conſequence to the judge?

M. Of none: for the controverſy hinges, not upon royalty, but upon parricide.

B. What do you ſay, if two parricides ſhould be ſummoned before a court of juſtice, the one a king, and the other a beggar? Ought not the judge to obſerve the ſame rule in taking cognizance of both?

M. The ſame, undoubtedly: and here Lucan ſeems to me to have ſpoken with no leſs truth than elegance, when he ſays,

> "Cæſar, my captain on the German plains,
> Is here my mate.—Guilt equals whom it ſtains,"

B. With truth, certainly. Sentence, therefore, is here to be pronounced, not upon a king and a pauper, but upon parricides. For the ſentence would then concern a king, if the queſtion were, which of

two perſons ought to be a king? or if it were inquired, whether Hiero be a king or a tyrant? or if the controverſy were about any thing elſe belonging properly to the office of king: as a painter becomes the ſubject of judicial diſquiſition, when the queſtion is, whether he knows the art of painting?

M. What is to be the reſult, if the king ſhould refuſe, of his own accord, and cannot be dragged by force, to appear in a court of juſtice?

B. Here he ſtands in the ſame predicament with all malefactors; for no robber or murderer will ſpontaneouſly ſubmit to juſtice. But you know, I preſume, the extent of the law, and that it allows a thief in the night to be killed any how, and a thief in the day to be killed, if he uſes a weapon in his defenſe. If nothing but force can drag him before a court of judicature, you recollect what then is the uſual practice. For robbers, too powerful to be reduced to order by the regular courſe of law, we maſter by war and arms. And there are hardly any other pretexts for any war between nations, between kings and their ſubjects, but injuries, which, being incapable of a legal deciſion, are decided by the ſword.

M. Againſt open enemies, indeed, theſe are uſually the cauſes of waging war: but we muſt obſerve a different proceſs with kings, whom we are, by the pledge of a moſt ſolemn oath, bound to obey.

B. Bound, indeed, we are: but, on the other hand, they were the firſt to promiſe that they would adminiſter juſtice with equity and benevolence.

M. Such is the fact.

B. A mutual compact then ſubſiſts between a king and his ſubjects?

M. So it ſhould appear.

B. Does

B. Does not he then, who deviates from conventions, and acts in oppoſition to compacts, diſſolve thoſe compacts and conventions?

M. He does.

B. Upon the diſſolution then of the tie which connected the king with his people, whatever right belonged by agreement to him who diſſolves the compact is, I preſume, forfeited?

M. It is.

B. He alſo, with whom the agreement was made, becomes as free as he was before the ſtipulation?

M. He clearly enjoys the ſame right and the ſame liberty.

B. If a king be guilty of acts tending to the diſſolution of that ſociety, for the preſervation of which he was created, what do we call him?

M. A tyrant, I ſuppoſe.

B. But a tyrant is ſo far from being entitled to any juſt authority over a people, that he is the people's open enemy.

M. Their open enemy, undoubtedly.

B. Grievous and intolerable injuries render a war with an open enemy juſt and neceſſary.

M. Undeniably juſt.

B. What do you call a war undertaken againſt the publick enemy of all mankind,—a tyrant?

M. The juſteſt of all wars.

B. But when war is, for a juſt cauſe, once proclaimed againſt an open enemy, not only the whole people, but alſo each individual, has a right to kill that enemy.

M. I own it.

B. What ſay you of a tyrant, that publick enemy, with whom all good men are perpetually at war,—Have not all the individuals of the whole maſs

mass of mankind, indiscriminately, a right to exercise upon him all the severities of war?

M. I see that almost all nations entertained that opinion. For even her husband's death is generally applauded in Thebe, his brother's in Timoleon, and his son's in Cassius. Fulvius too is praised for killing his son, as he was on his way to Cataline; and Brutus for condemning his sons and relations to the gallows, when he learned their plan to restore the tyrants. Nay, many states of Greece voted publick rewards and honours to tyrannicides; so much did they think, as was before observed, that with tyrants every tie of humanity is dissolved. But why do I collect the assent of single persons or states, when I can produce the testimony of almost all the world? For who does not severely censure Domitius Corbulo for having so far neglected the interest of the human race, as not to have hurled, when the deed was easy, Nero from his throne? Nor was he censured only by the Romans, but even by Tiridates, king of the Persians, who feared nothing less than that the contagion of the example should eventually reach his own person. The minds even of the worst men, who have become savage through acts of cruelty, are not so totally divested of this publick hatred to tyranny, that it does not, on some occasions, burst forth involuntarily, and reduce them, by the contemplation of truth and honour, to a state of torpor and stupefaction. When, upon the assassination of that cruel tyrant Caius Caligula, his ministers, who were no less cruel, tumultuously insisted upon the punishment of the assassins, vociferating occasionally, "Who had killed the Emperor?" Valerius Asiaticus, a man of consular distinction, exclaimed from a conspicuous place,

whence

whence he might be heard and ſeen, "I wiſh that I had killed him." At this expreſſion theſe men, who were deſtitute of almoſt all humanity, forbore, as if thunderſtruck, all riotous tumult. For ſo great is the power of virtue, that, when its picture, however imperfectly ſketched, is preſented to the mind, its moſt impetuous ebullitions ſubſide; the violence of its fury languiſhes; and madneſs, in ſpite of all reſiſtance, acknowledges the empire of reaſon. Nor do thoſe who now move heaven and earth with their clamours harbour other ſentiments. The truth of this obſervation may be evinced even by this conſideration, that, though they cenſure the late events, the ſame, or ſimilar tranſactions, and even of a more atrocious nature, when quoted from ancient hiſtory, receive their approbation and applauſe, and, by that circumſtance, demonſtrate that they are more ſwayed by private affections than by publick injuries. But why ſhould we look for a ſurer witneſs of what tyrants deſerve than their own conſcience? Hence ſprings their perpetual fear of all, and particularly of good men; and hence they behold the ſword, which they keep always drawn for others, conſtantly hanging over their own necks; and, by their own hatred to others, meaſure the attachment of others to themſelves. But good men, on the other hand, reverſing this order, and fearing nothing, frequently incur danger by eſtimating the benevolent diſpoſition of mankind, not by its vicious nature, but by their own meritorious conduct.

B. You are then of opinion, that tyrants ought to be ranked among the moſt ferocious beaſts; and that tyrannick violence is more againſt nature than poverty, than diſeaſe, than death, and every other evil that the decrees of nature have entailed upon mankind?

M. Truly,

M. Truly, when I eſtimate within myſelf the weights of different arguments, I cannot deny the truth of theſe poſitions; but, when I reflect on the dangers and inconveniences which attend this opinion, my mind, as if checked at once with a bridle, fails ſomehow in mettle, and, bending towards utility from the exceſſive rectitude of Stoical ſeverity, falls almoſt into a ſwoon. For, if any one be at liberty to kill a tyrant, mark what a wide field you open to the villany of the wicked, to what danger you expoſe the good, what licence you allow to the bad, and what diſorder you introduce into every department. For who, after killing a good, or at leaſt not the worſt king, may not palliate his crime under the ſpecious appearance of virtue? Or, if even a good man ſhould unſucceſsfully attempt the aſſaſſination of a deteſtable prince, or ſucceſsfully execute the intended deed, what great confuſion muſt neceſſarily enſue in every quarter! While the bad tumultuouſly expreſs their indignation at the loſs of a leader, the good will not all approve of the deed; and even thoſe who approve will not all defend the author againſt a wicked faction; and the generality will cloak their own ſloth under the honourable pretext of peace, and rather calumniate the valour of others than confeſs their own cowardice. Aſſuredly, though this recollective attention to private intereſt, though this mean excuſe for deſerting the publick cauſe, and this fear of incurring danger, ſhould not entirely break, they undoubtedly weaken the ſpirits of moſt men, and cauſe a preference of tranquillity, though not very certain, to the expectation of uncertain liberty.

B. If you attend to the antecedent reaſonings, your preſent apprehenſions will be eaſily removed. For we remarked that ſome nations have, by their free ſuffrages, ſanctioned tyrants, whom, for the lenity

lenity of their adminiſtration, we dignify with regal names. None will, by my advice, offer violence to any of theſe, or even of thoſe who have by force or fraud become ſovereigns, if their government be but tempered by a civick diſpoſition of mind. Such, among the Romans, were Veſpaſian, Titus, and Pertinax, Alexander among the Greeks, and Hiero at Syracuſe: for, though they obtained the imperial power by violence and arms, yet they deſerved, by their juſtice and equity, to be numbered among legitimate kings. Beſides, I here explain under this head how far our power and duty extend by law, but do not adviſe the enforcement of either. Of the former a diſtinct knowledge and clear explanation are ſufficient; of the latter the plan requires wiſdom, the attempt prudence, and the execution valour. Though theſe preparatives may, in the caſe of a raſh attempt, be aided or fruſtrated by times, perſons, places, and other inſtruments of action, I ſhall merit blame for any errours no more than the phyſician, who properly deſcribes the various remedies for diſeaſes, ought to be cenſured for the folly of another, who adminiſters them at an improper time.

M. One thing ſeems ſtill wanted to complete this diſquiſition, and, if you make that addition, I muſt acknowledge that your favours have reached their utmoſt poſſible limit. What I mean to aſk is, whether tyrants ought to be liable to eccleſiaſtical cenſures?

B. Whenever you pleaſe, you may ſee that kind of cenſure juſtified in the firſt epiſtle of Paul to the Corinthians, where the apoſtle forbids us to have any convivial or familiar converſe with perſons notoriouſly wicked or flagitious. Were this precept obſerved among Chriſtians, the wicked muſt either repent, or periſh with hunger, cold and nakedneſs.

M. That opinion has certainly great weight; but yet I know not whether the people that uſes every where to pay ſo much reſpect to magiſtrates will believe that this rule comprehends kings.

B. The ancient eccleſiaſtical writers, to a man, certainly underſtood, in this manner, Paul's expreſſions. For even the emperor Theodoſius was excluded by Ambroſe from the congregation of Chriſtians, and Theodoſius obeyed the biſhop. Nor, as far as I know, is any biſhop's conduct more highly extolled by antiquity, nor any emperor's modeſty more loudly applauded. But, as to the main point, what great difference does it make, whether you be expelled from the communion of Chriſtians, or be forbid fire and water? For againſt thoſe, who refuſe to obey their orders, all magiſtrates uſe, for their moſt formidable engine, the latter decree, and all eccleſiaſticks the former. Now the puniſhment inflicted by both, for a contempt of their authority, is death; but the one denounces the deſtruction of the body, and the other the deſtruction of the whole man. Will not the church, then, which conſiders much lighter crimes puniſhable with death, think death juſtly due to him whom alive it excommunicates from the congregation of the godly, and whom dead it dooms to the company of devils?—For the juſtice of my country's cauſe, I think that I have ſaid enough; and if ſtill ſome foreigners ſhould not be ſatisfied, I beg that they would conſider how iniquitouſly they treat us. For, as there are in Europe numbers of great and opulent nations, having each its own diſtinct laws, it is arrogance in them to preſcribe to all their own pecular form of government. The Swiſs live in a republick; the Germans, under the name of empire, enjoy a legitimate monarchy; ſome ſtates in Germany indeed

deed are, I hear, subject to a nobility; the Venetians have a government that is a due mixture of all these forms; and Muscovy is attached to a despotism. We possess a kingdom that is, indeed, small, but that has now for above two thousand years remained free from a foreign yoke. Originally we created kings limited by laws, just to ourselves and to others. These laws length of time has proved to be advantageous; as it is by the observation of them, more than by the force of arms, that the kingdom still remains unshaken. What injustice then it is to desire that we should either repeal or disregard laws, of which we have, for so many ages, experienced the utility? Or, rather, what impudence it is in men, who can scarcely maintain their own government, to attempt an alteration in the policy of another country? Why should I mention that our institutions are beneficial, not only to ourselves, but also to our neighbours? For what can contribute more to the maintenance of peace with neighbours than moderation in kings? For, in general, it is through the effervescence of their unruly passions that unjust wars are rashly undertaken, wickedly waged, and dishonourably concluded. Besides, what can be more prejudicial to any state than bad laws among its neighbours, as their contagion uses frequently to spread wide? Or why do they molest us alone, when different laws and institutions are used by so many surrounding nations, and the same, entirely, by none? Or why do they now at last molest us, when we do not hazard any novelty, but adhere to our old system; when we are not the only, nor the first people that adopted this practice, and do not now adopt it for the first time? But some are not pleased with our laws; perhaps, also, not with their own. We do not inquire curiously

into other men's inſtitutions; and, therefore, they ſhould leave us ours, that have been for ſo many years experimentally approved. Do we diſturb their councils? or do we, in any reſpect, moleſt them? But, ſay they, you are ſeditious. To this charge I could freely anſwer, What is that to them? If we are diſorderly, it is at our own riſk, and to our own loſs. Yet I could enumerate not a few ſeditions, that both commonwealths and monarchies found not prejudicial. But that ſpecies of defence I ſhall not uſe. I deny that any nation was leſs ſeditious; I deny that any was ever in its ſeditions more temperate. Many conteſts have occurred concerning the laws, concerning the right to the crown, concerning the adminiſtration of the government, but ſtill without danger to the general weal: nor was the conflict, as among nations in general, continued to the ruin of the populace; nor from hatred to our princes, but from patriotick zeal, and a ſteady attachment to the laws. How often, in our memory, have large armies ſtood oppoſed in battle array, and parted, not only without a wound, but without a fray, without a reproach? How often have private quarrels been quaſhed by publick utility? How often has the report of a publick enemy's approach extinguiſhed domeſtick broils? Nor have our ſeditions been quieted with more temperance than good fortune; ſince the party that had juſtice on its ſide generally commanded ſucceſs; and, as our civil diſputes were conducted with moderation, they were amicably adjuſted on the baſis of utility.

Theſe are the arguments which occur to me at preſent; and they ſeem calculated for checking the loquacity of the malevolent, for refuting the dogmatiſm of the obſtinate, and for ſatisfying the doubts of the equitable. The right to the crown among

among other nations I did not think of much conſequence to us. Our own practice I have explained in a few words; but yet in more than I intended, or than the ſubject required; becauſe this was a labour which I undertook on your account only; and, if I have your approbation, I am ſatisfied.

M. As far as I am concerned, the ſatisfaction, which you have given, is complete; and, if I ſhall be able to give others the ſame ſatisfaction, I ſhall think myſelf not only much benefited by your diſcourſe, but relieved from a great deal of trouble.

FINIS.

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