

Graham Harry

# The Mother of Parliaments



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# The Mother of Parliaments

## PREFACE

The history of England's Parliament is the history of the English people. To the latter it must consequently prove a source of never-failing interest. That it does so is clearly shown by the long list of writers who have sought and found inspiration in the subject. To add to their number may perhaps seem an unnecessary, even a superfluous, task. This volume may indeed be likened to that "Old Piece in a New Dress" to which Petyt compared his *Lex Parliamentaria*. "These things, men will say, have been done before; the same Matter, and much the same Form, are to be found in other Writers, and this is but to obtrude upon the World a vain Repetition of other men's observations." But although the frank use of secondhand matter cannot in this case be denied, it is to be hoped that even the oldest and most threadbare material may be woven into a fresh pattern, suitable to modern taste.

In these democratic days a seat in either House of Parliament is no longer the monopoly of a single privileged class: it lies within the reach of all who can afford the luxury of representing either themselves or their fellows at Westminster. It is therefore only natural that the interest in parliamentary affairs should be more widely disseminated to-day than ever. It does not confine itself to actual or potential members of both Houses, but is to be found in the bosom of the humblest constituent, and even of that shadowy individual vaguely referred to as the Man in the Street. Though, however, the interest in Parliament is widespread, a knowledge of parliamentary forms, of the actual conduct of business in either House, of the working of the parliamentary machine, is less universal.

At the present time the sources of information open to the student of parliamentary history may roughly be regarded as twofold. For the earnest scholar, desirous of examining the basis and groundwork of the Constitution, the birth and growth of Parliament, the gradual extension and development of its power, its privileges and procedure, the writings of all the great English historians, and of such parliamentary experts as Hatsell, May, Palgrave, Sir William Anson, Sir Courtenay Ilbert and Professor Redlich, provide a rich mine of information. That more considerable section of the reading public which seeks to be entertained rather than instructed, can have its needs supplied by less technical but no less able parliamentary writers – Sir Henry W. Lucy, Mr. T. P. O'Connor, Mr. MacDonagh – none of whom, as a rule, attempts to do more than touch lightly upon fundamental Constitutional questions.

The idea of combining instruction with amusement is one from which every normal-minded being naturally shrinks: the attempt generally results in the failure either to inform or entertain. There does, however, seem to be room for a volume on the subject of Parliament which shall be sufficiently instructive to appeal to the student, and yet not so technical as to alarm or repel the general reader. It is with the object of supplying the need for such a book that the following pages have been written.

An endeavour to satisfy the tastes of every class of reader and at the same time to cover the whole field of parliamentary history within the limits of a single volume, must necessarily lead to many errors of admission as well as of omission. The material at the disposal of the author is so vast, and the difficulties of rejection and selection are equally formidable. Much of the information given must perforce be so familiar as to appear almost hackneyed. Many of the stories with which these pages are sprinkled bear upon them the imprint of extreme old age; they are grey with the cobwebs of antiquity. But while the epigram of the past is too often the commonplace of the present, the witty anecdote of one generation, which seems to another to plumb the uttermost abysses of fatuity, may yet survive to be considered a brilliant example of humour by a third. The reader, therefore, who

recognises old favourites scattered here and there about the letterpress, will deride or tolerate them in accordance with the respect or contempt that he entertains for the antique.

I cannot lay claim to the possession of expert parliamentary knowledge, though perhaps, after close upon fifteen years' residence within the precincts of the Palace of Westminster, I may have acquired a certain intimacy with the life and habits of the Mother of Parliaments. For my facts I have to a great extent relied upon the researches of numerous parliamentary writers, past and present, to whom I have endeavoured to express my indebtedness, not only in copious footnotes, but also in the complete list of all sources of information given at the end of this volume. I wish to express my thanks to the many friends and acquaintances who have so kindly assisted me with their counsel and encouragement; to Mr. Kenyon, Mr. Sidney Colvin and the officials of the Print Room and Reading Room at the British Museum; to Sir Alfred Scott-Gatty, Garter King-at-Arms; to Mr. Edmund Gosse, Librarian of the House of Lords, and other officers of both Houses. My thanks are particularly due to Sir Henry Graham, Clerk of the Parliaments, who placed his unique parliamentary experience at my disposal, and whose invaluable advice and assistance have so greatly tended to lighten and facilitate my literary labours.

*H. G.*

## CHAPTER I

# PARLIAMENT AND PARTY

It has been asserted that the different social conditions of various peoples have their origin, not so much in climate or parentage, as in the character of their governments. If that be true, there is little doubt that the social conditions of England should compare most favourably with those of sister nations. But the admirable form of Government to which Englishmen have now long been accustomed, did not come into existence in the course of a single night. "The resemblance between the present Constitution and that from which it originally sprang," says an eighteenth-century writer, "is not much nearer than that between the most beautiful fly and the abject worm from which it arose."<sup>1</sup> And the conversion of the chrysalis into the butterfly has been a slow and troublesome process.

Montesquieu, who was an earnest student of the English Constitution, after reading the treatise of Tacitus on the manners of the early Germans, declared that it was from them that England had borrowed her idea of political government. Whether or no this "beautiful system was first invented in the woods,"<sup>2</sup> as he says, it is certain that we owe the primary principles of our existing constitution to German sources. They date back to the earliest days of the first settlements of Teutons on the Kentish shores.

To the word "parliament" many derivations have been assigned. Petyt explains the name as suggesting that every member of the assembly which it designates should *parler le ment* or speak his mind.<sup>3</sup> Another authority derives it from two Celtic words, signifying to "speak abundantly" – a meaning which is more applicable in these garrulous times than it was in days when debate was often punctuated by lengthy intervals of complete silence.

Whatever its derivation, the word no doubt referred originally to the "deep speech" which the kings of old held with their councillors. The first mention of it, in connexion with a national assembly, occurs in 1246, when it was used by Matthew Prior of a general convocation of English barons. About thirty years later it appears again in the preamble to the First Statute of Westminster. It has now come to be employed entirely to describe that combination of the Three Estates, the Lords Spiritual, the Lords Temporal and the Commons, which with the Crown form the supreme legislative government of the country.

The ancient Britons possessed a Parliament of a kind, called the *Commune Concilium*. Under the Heptarchy each king in England enjoyed the services of an assembly of wise men – or Witenagemot, as it was called – which advised him upon matters of national importance. The Witan sat as a court of justice, formed the Council of the chiefs, and could impose taxes and even depose the King, though the latter too often took the whole of their powers into his own hands. When the separate kingdoms became united, their different Councils were absorbed into the one great Gemot of Wessex. This, in Anglo-Saxon times, was a small body, consisting of less than a score of Bishops, a number of Ealdormen (or heads of the different shires), and certain vassal members. This senate was undoubtedly the germ of all future systems of Parliamentary government; and though for the first two hundred years after the Conquest there is no historical record of the meeting of any body corresponding to our present Parliament, from the days of the Witenagemot to our own times the continuity of our national assemblies has never been broken.

The parliamentary historian suffers much from the lack of early records. None were kept in Anglo-Saxon times, the judgments of the Witan being only recorded in the memory of the judges

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<sup>1</sup> King's "Essay on the English Constitution," p. 17.

<sup>2</sup> "The Spirit of Laws." "Works," vol. i. p. 212.

<sup>3</sup> "Lex Parliamentaria" (1690), p. 1.

themselves. The Rolls of Parliament begin with the year 1278 – though the first mention of the Commons does not occur until 1304 – and somewhere about Edward III.'s reign was written a volume called the "Vetus Codex" or "Black Book" which contains transcripts of various parliamentary proceedings. At the time of the restoration of Charles II., Prynne, the antiquarian, set himself the task of exhuming old records, and catalogued nearly a hundred parcels of ancient writs, private petitions, and returns. The MSS. which he worked upon were so dirty that he could not induce any one else to clean them, and was forced to labour alone. Wearing a nightcap over his eyes, to keep out the dust, and fortified by continual draughts of ale, he proceeded cheerfully with this laborious undertaking upon which he finally based the book which has made him famous.<sup>4</sup>

The House of Commons Journals begin with Edward VI. those of the Lords at the accession of Henry VIII. And though during the early part of the seventeenth century speeches were reported at some length in the Commons Journals, in the Lords only the Bills read and such matters are recorded.<sup>5</sup> The material to work upon is consequently of an exiguous nature, until we reach the later days of freedom of the Press and publicity of debates.

The history of Parliament proper divides itself naturally into four distinct periods. The first may be said to stretch from the middle of the thirteenth to nearly the end of the fifteenth century; the second dates from the accession of Henry VII., and extends to the Revolution of 1688. The remaining century and a half, up to the Reform Bill of 1832, forms the third period; and with the passing of that momentous Act commences the last and most important epoch of all.

During the first two periods of parliamentary history, the whole authority of government was vested in the Crown; during the third it gradually passed into the possession of the aristocracy: and it is only within the last century that the people, through their representatives in the House of Commons, have gained a complete political ascendancy.

From the days of the absolute monarchy of Norman sovereigns until the reign of King John, the Crown, the Church, the Barons, and the people, were always struggling with each other; in that reign the three last forces combined against the King. The struggle was never subsequently relaxed, but it took over six centuries to transfer the governing power of the country from the hands of one individual to that of the whole people.

Prior to the reign of Henry III., no regular legislative assembly existed, though the King would occasionally summon councils of the great men of the land for consultative purposes. In William the Conqueror's time the ownership of land became the qualification for the Witenagemot, and the National Council which succeeded that assembly thus became a Council of the King's feudal vassals, and not necessarily an assembly of wise men. When, however, Simon de Montford overthrew Henry III. at Lewes, he summoned a convocation which included representative knights and burgesses, and the parliamentary system, thus instituted, was subsequently adopted by Edward I. "Many things have changed," says Dr. Gardiner in his "History of England," "but in all main points the Parliament of England, as it exists at this day, is the same as that which gathered around the great Plantagenet." The first full Parliament in English history may, therefore, be said to have been summoned by Edward I. on November 13, 1295, and represented every class of the people.

Parliament thereafter gradually resolved itself into two separate groups; on the one hand the barons and prelates, representing the aristocracy and the Church, on the other the knights and burgesses, representing the county freeholders, citizens and boroughfolk. The former constituted a High Court of Justice and final Court of Appeal; the chief duty of the latter lay in levying taxes, and they were not usually summoned unless the Crown were in need of money. These two component

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<sup>4</sup> "A Brief Register of Parliamentary Writs" (1664).

<sup>5</sup> Elsynge, Clerk of the Parliaments in the seventeenth century, took notes of the Lords' speeches, which have been published by the Camden Society (1870-1879).

groups originally sat together, forming a collective assembly from which the modern Parliament has gradually developed.

In the early days of Parliament the Lords came to be regarded as the King's Council, over which he presided in person; the Commons occupied a secondary and insignificant position. The power of legislating was entirely in the hands of the King, who framed whatever laws he deemed expedient, acting on the humble petition of his people. The Crown thus exercised absolute control over Parliament, and the royal yoke was not destined to be thrown off for many hundreds of years.

In the reign of Edward III., the meetings of Parliament were uncertain and infrequent; its duration was brief. Three or four Parliaments would be held every year, and only sat for a few weeks at a time. The King's prerogative to dissolve Parliament whenever he so desired – "of all trusts vested in his majesty," as Burke says, "the most critical and delicate"<sup>6</sup> was one of which mediæval monarchs freely availed themselves in the days when Parliament had not yet found, nor indeed realised, its potential strength.

During the reigns of the Tudors and Stuarts, the power of the Crown was still supreme, though many attempts were made to weaken it. This second period of history, between 1485 and 1688, was a time of peculiar political stress, in which Parliament and the Crown were engaged in a perpetual conflict. Kings maintained their influence by a mixture of threats and cajolery which long proved effective. In 1536, for instance, we find Henry VIII. warning the House of Commons that, unless some measure in which he was interested were passed, certain members of that assembly would undoubtedly lose their heads.<sup>7</sup>

The Stuart kings were in the habit of suborning members of both Houses, by the gift of various lucrative posts or the lavish distribution of bribes. It was ever the royal desire to weaken Parliament, and this end was attained in a variety of ways. In the early part of the seventeenth century, we hear of Charles I. summoning to Hampton Court certain members whose loyalty he distrusted or whose absence from Parliament he desired. On one such occasion the Earls of Essex and Holland refused to obey his command, saying that their parliamentary writ had precedence of any royal summons – an expression of independence for which they were dismissed from the Court.<sup>8</sup>

In the time of Charles II. a definite system of influencing members of Parliament by gifts of money was first framed, Lord Clifford, the Lord Treasurer, being allowed a sum of £10,000 for the purpose. The fact of holding an appointment in the pay of the Crown was in itself considered sufficient to bind a member to vote in accordance with the royal will. In 1685, when many members who were in the Government service threatened to vote against the Court, Middleton, the Secretary of State, bitterly reproached them with breach of faith. "Have you not a troop of horse in his Majesty's service?" he asked of a certain Captain Kendall. "Yes, my lord," was the reply, "but my brother died last night and left me £700 a year!"<sup>9</sup>

Andrew Marvell has drawn a vivid but disagreeable picture of the Parliament which was summoned immediately after the Restoration. Half the members of the House of Commons he described as "court cullies" – the word "to cully" meaning apparently to befool or cheat – and in "A list of the Principal Labourers in the great Design of Popery and Arbitrary Law," gives a catalogue of the names of over two hundred members of Parliament who received presents from the Court at this time.<sup>10</sup>

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<sup>6</sup> "Works and Correspondence," vol. iii. p. 525. (The power to dissolve Parliament is still theoretically in the hands of the Sovereign; practically it is in those of the Cabinet. Parliament has only been dissolved once by the Sovereign since the beginning of the eighteenth century.)

<sup>7</sup> Oldfield's "History of Great Britain and Ireland," vol. i. p. 280.

<sup>8</sup> May's "A Breviary of the History of Parliament" (1680), p. 21.

<sup>9</sup> Burnet's "History of His Own Times," vol. iii. p. 92 n.

<sup>10</sup> *E.g.*, "Sir Edward Turner, who for a secret service had lately a bribe of £4000, as in the Exchequer may be seen, and about £2000 before; and made Lord Chief Baron." "Sir Stephen Fox – once a link boy; then a singing boy at Salisbury; then a serving man; and

The independence of Parliament was first asserted by that staunch old patriot Sir John Eliot, who, during the reign of Charles I., declared to the Commons that they "came not thither either to do what the King should command them, nor to abstain when he forbade them; they came to continue constant, and to maintain their privileges."<sup>11</sup> But in spite of such brave words, the power of the Crown was not finally subdued until the Revolution.

The downfall of the Monarchy at the time of the Commonwealth was followed by the temporary abolition of both Lords and Commons, the latter disappearing in company with Cromwell's famous "bauble." The Protector then proceeded to call together a body of "nominees," one hundred and forty in number, who represented the various counties in proportion to the amount of taxes each of these contributed. Of the seven nominees supplied by London, Praise God Barebones, a Fleet Street leather merchant, gave his name to the Parliament thus assembled. Cromwell also created a new House of Lords, numbering about sixty.<sup>12</sup>

With the Restoration the Crown resumed much of its former power. In 1682 the publisher of a reprint of Nathaniel Bacon's "Historical Discourse," which declared that Kings could "do nothing as Kings but that of Right they ought to do," and that though they might be "Chief Commanders, yet they are not Chief Rulers," was outlawed for these treasonable statements. It was not, indeed, until the Revolution of 1688 that the royal influence was curtailed, so small a revenue being allowed to William III. that the ordinary expenses of government could not be defrayed without assembling Parliament.

The attendance of the King in Parliament had been usual in early days, but the Commons always deprecated the presence of the Sovereign in their midst. Charles I. affords the only example of a monarch attending a debate in the Lower House, when on that famous 4th of January, 1642, he marched from Whitehall to Westminster, with the intention of arresting the five leading members, Hampden, Pym, Holles, Haselrig and Strode, authors of the Grand Remonstrance, whom he had caused to be impeached on the preceding afternoon. The House had been put upon its guard by Lady Carlisle, and on the eventful day, a French officer, Hercule Langres, made his way to Westminster and warned Pym and his colleagues of the approach of the royal troops. When therefore the King arrived he found that his birds had already flown, and was compelled to retire empty-handed, amid cries of "Privilege!" from members of the outraged assembly.

In those times the desire of the Commons was to keep the Crown as ignorant as possible on the subject of their doings. The habit of providing the King with a daily account of Parliamentary proceedings did not come into fashion until the end of the eighteenth century, when the House was no longer afraid of the royal power.

The Lords have never objected as strongly as the Commons to the royal presence. Charles II. often found the time hang heavy on his hands, and would stroll down to the Upper House, "as a pleasant diversion." He began by sitting quietly on the Throne, listening to the debates. Later on he took to standing by the fireplace of the Lords, where he was soon surrounded by many persons anxious to gain the royal ear, and thus "broke all the decency of that House."<sup>13</sup> Since the accession of Queen Anne, however, no Sovereign has been present in Parliament, save at the opening or closing ceremonies. But long after kings had ceased to attend Parliament in person they continued to attempt the control of its proceedings. George III. finally brought matters to a head by his perpetual interference with the affairs of the Commons, and caused the passing of that momentous resolution,

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permitting his wife to be common beyond sea, at the Restoration was made Paymaster of the Guards, where he has cheated £100,000, and is one of the Green Cloth." "Flagellum Parliamentarium," pp. 10 and 24.

<sup>11</sup> Forster's "Life of Sir John Eliot," vol. i. p. 529.

<sup>12</sup> See "Journal of the Protectorate House of Lords, from the original MS. in the possession of Lady Tangye, January 20, 1657, to April 22, 1659." House of Lords MSS. vol. iv. new series, p. 503.

<sup>13</sup> Burnet's "History of His Own Time," vol. i. p. 184.

moved by Dunning on April 6, 1780, "that the influence of the Crown has increased, is increasing, and ought to be diminished," which disturbed if it could not vex Dr. Johnson.<sup>14</sup>

Between 1688 and 1832 political life in England was excessively corrupt. Parliament had grown to a certain extent independent of the Crown, but had not yet learnt to depend upon public opinion. It was consequently a difficult body to deal with, and had to be managed by a system of open bribery which first showed itself most conspicuously in the shape of retaining fees paid to Scottish members.<sup>15</sup> In 1690 the practice of regularly bribing members of the House of Commons was undertaken by the Speaker, Sir John Trevor, on behalf of the Tory party. In Queen Anne's reign a statesman paid thousands of pounds for the privilege of being made Secretary of State, and a few years later we find Sir Robert Walpole assuring a brother of Lord Gower that he knew the price of every man but three in the House of Lords.<sup>16</sup>

Bribery no longer emanated direct from the Crown, but was practised vicariously by the King through his ministers. They might object to the system, but, as King William once said to Bishop Burnet, they had to do with "a set of men who must be managed in this vile way or not at all."<sup>17</sup> Macaulay likens the Parliament of that time to a pump which, though it may appear dry, will, if a little water is poured into it, produce a great flow. So, he says, £10,000 given in bribes to Parliament would often produce a million in supplies.<sup>18</sup> Even Pelham, a man of unblemished reputation in private life, saw the absolute necessity of distributing bribes right and left. And in 1782 we find Lord North writing to George III. to remind him that "the last general election cost near £50,000 to the Crown, beyond which expense there was a pension of £1000 a year to Lord Montacute and £500 a year to Mr. Selwyn for their interest at Midhurst and Luggershall."<sup>19</sup>

Seats in Parliament were regularly bought and sold, the price varying from £1500 to as much as £7000. Flood, the Irish politician, purchased a seat in the English House of Commons for £4000. The notoriously corrupt borough of Gatton was publicly advertised for sale in 1792, with the power of nominating two representatives for ever, described by the auctioneer as "an elegant contingency."<sup>20</sup> This same seat was sold in 1831 by Sir Mark Wood for the huge sum of £60,000, and the purchaser's feelings may well be imagined when, under the Reform Act of the following year, the borough was disfranchised and rendered worthless.<sup>21</sup>

Parliament was for long in the hands of a few rich persons. Wealthy individuals would buy property in small boroughs in order to increase their political influence, and cared little for the fitness of the representatives whom they nominated. The story is told of a peer being asked who should be returned for one of his boroughs, and casually mentioning a waiter at White's Club whom he did not even know by name. The waiter was duly elected, and, for aught we know, may have made a most worthy and excellent member of Parliament.<sup>22</sup>

In 1815 the House of Commons contained 471 members who were the creatures of 144 peers and 123 Commoners. Sixteen representatives were Government nominees; and only 171 members

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<sup>14</sup> "Public affairs vex no man," said Dr. Johnson, when asked whether he were not annoyed by this vote. "I have never slept an hour less, nor eat an ounce less meat. I would have knocked the factious dogs on the head, to be sure; but I was not *vexed*."

<sup>15</sup> Boswell's "Life of Johnson," p. 731. (Cromwell had already stigmatized Scotland as corrupt. He had been told, he said, that it was a poor country inhabited by honest people, but found that the country was not poor and the people anything but honest.)

<sup>16</sup> Dr. King's "Anecdotes of His Own Time," p. 44.

<sup>17</sup> "History of His Own Time," vol. ii. p. 76.

<sup>18</sup> "History," vol. iii. p. 545.

<sup>19</sup> "Correspondence of George III. and Lord North," vol. ii. p. 425.

<sup>20</sup> Bell's "Life of Canning," p. 347.

<sup>21</sup> Mark Boyd's "Social Gleanings," p. 246.

<sup>22</sup> Russell's "Recollections," p. 35.

were actually elected by the popular vote.<sup>23</sup> Five years later nearly half the House were returned by peers.<sup>24</sup>

The passing of the Septennial Act in 1716, in place of the Triennial Act of 1694, though meeting with much hostile criticism,<sup>25</sup> had helped to further that growing independence of both Lords and Crown which was the chief aim of the Commons. Before the Triennial Act Parliament could only be dissolved by the Crown. Under the Triennial Act it suffered a natural death three years after the day on which it was summoned. The Septennial Act lengthened that existence by a further period of four years. Members were no longer kept in a state of perpetual anticipation of an imminent General Election; they were no more harassed by the fear of losing their seats at any moment. With security came strength, but purity was a long time in following. The Septennial Act, says Lecky, gave "a new stability to English policy, a new strength to the dynasty, and a new authority to the House of Commons." But it certainly did not tend to decrease the corruption which was then rampant both in Parliament and in the country.

The whole body politic was, indeed, utterly rotten, and it was only considered possible to maintain the ministerial influence by a system of disciplined Treasury corruption. The secret service money with which votes were bought was in the control of the Prime Minister, and Walpole is said to have stated that he did not care a rap who made Members of Parliament so long as he was allowed to deal with them after they were made. The produce of the taxes descended in fertilizing showers upon the proprietors, the agents and the members for boroughs. For them, as Lord John Russell said, the General Election was a state lottery in which there was nothing but prizes. "The elector of a borough, or a person he recommends, obtains a situation in the Customs; the member of Parliament obtains a place in the Mediterranean for a near relation; the proprietor of the borough obtains a peerage in perspective; and the larger proprietor, followed by his attendant members, shines in the summer of royal favour, with a garter, a regiment, an earldom, or a marquisate."<sup>26</sup> So ingrained had this idea become in the public mind that the Duke of Wellington is supposed to have asked ingenuously, on the abolition of the rotten boroughs, "How will the King's Government be carried on?"

Several ineffectual efforts had from time to time been made to slay the monster of corruption. From the days of Cromwell the question of Parliamentary reform had been anxiously urged by many statesmen, notably Lord Shaftesbury and Pitt, of whom the latter introduced reformative measures in 1781, 1782 and 1785. But though Pitt, the first Prime Minister who did not retain any of the public money for distribution among his friends and supporters, managed to reduce "places" worth over £200,000, after the American War, there still remained any number of inflated pensions and sinecures in the gift of the Government,<sup>27</sup> and it was not until Parliament came to be controlled entirely by public opinion that the change from corruption to purity took place. But notwithstanding many flaws in theory and blots in practice, the English Parliamentary Constitution prior to the Reform Bill was, as Mr. Gladstone called it, one of the wonders of the world. "Time was its parent, silence was its nurse... It did much evil and it left much good undone; but it either led or did not lag behind the national feeling and opinion."<sup>28</sup> With the Reform Act of 1832, Parliament advanced another stage in its career. The House of Commons definitely shook itself free from the active corruption which had so long impeded its movements.

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<sup>23</sup> Oldfield's "Representative History," vol. vi., App.

<sup>24</sup> "The Black Book," vol. i. p. 430.

<sup>25</sup> "By the same violence that one Parliament, chosen but for *Three Years*, could prolong their own sitting for *Seven*, any other may presume to render themselves perpetual." Ralph's "Uses and Abuses of Parliament," vol. ii. p. 716.

<sup>26</sup> "Essays and Sketches of Life and Character," p. 148.

<sup>27</sup> For example, one of £7000 for a retired Auditor of the Imprest, and another of £7300 granted to Lord Bute as some slight compensation for his loss of office. See Rose's "Influence of the Crown."

<sup>28</sup> "Gleanings of Past Years," vol. i. pp. 134-5.

The principle of Party Government, which now lies at the very root of our parliamentary system, had its origin during the second period of parliamentary history, and formed no part of the constitutional scheme of earlier days.

In Queen Elizabeth's time two definite and distinct parties arose, the one maintaining the privileges of the Crown, the other upholding the interests of the people. In Stuart days Cavaliers and Roundheads were followed by Court and Country Parties, and in the year 1679, when the Exclusion Bill was being bitterly debated, the distinctive names of "Whigs" and "Tories" first came into existence. "Whig" was originally a word applied to the lowland peasantry of the West of Scotland; thence it came to mean Covenanters, and so politicians who looked kindly upon Nonconformity. "Tory" was an expression popularly used with reference to the rebel Irish outlaws who harassed the Protestants; and thus implied leanings towards Catholicism.<sup>29</sup>

The growth of a respect for the people's rights forced politicians to separate into two sections, and the schism between the rival camps was still further emphasized by the Revolution of 1688. Regular opposing parties do not, however, seem to have existed in the Commons until the eighteenth century, and the party system was not finally established as a necessary element of constitutional government until the reign of William III. Kings had hitherto chosen their advisers irrespective of their political views. William III. was, however, induced by the Earl of Sunderland to form a Ministry from the party that held a majority in Parliament, and thus became to a certain extent controlled by that party.

There have always been, as Macaulay says, under some name or other, two sets of men, those who are before their age, and those who are behind it, those who are the wisest among their contemporaries, and those who glory in being no wiser than their great-grandfathers. But this definition of the two great political parties of England can no longer with justice be applied. The Tory of to-day is not at all the Tory of two hundred years ago: indeed, he rather resembles the Whig of Queen Anne's time. And though Disraeli continued to use the word "Tory," and was never ashamed of it, it has now gradually fallen into disuse, save as a term of reproach on the lips of political opponents. A change of nomenclature was adopted in 1832. The Tories became Conservatives, and for the benefit of wavering Whigs it was proposed that the latter should be known as Liberal-Conservatives, a name which, as Lord John Russell remarked, expressed in seven syllables what Whig expressed in one.<sup>30</sup> The term "Radical" did not come into use until the days of the famous reformer, Francis Place (1771-1854); his political predecessors contenting themselves with the more modest name of Patriots. Called by whatever name is popular for the moment, either party may now claim to come within the scope of Burke's well-known definition as "a body of men united for promoting, by their endeavours, the national interest upon some particular principle in which they are all agreed."

Our modern parliamentary system comprises the party spirit as its most vital element, and owes its success to the fact of being government by party and not by faction.<sup>31</sup> The existence of an admittedly constitutional body perpetually opposed to the Government of the day – "His Majesty's Opposition," as it has been called since 1826 – is now recognised as a very necessary portion of the Parliamentary machine. The principle of fairness to the minority is never lost sight of, and expresses itself in many different ways. When, for instance, the Leader of the Opposition gives notice of a motion of censure on the Government, the latter consider it their duty to accord their critics an early opportunity for its discussion; and, generally speaking, the due consideration of the rights of

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<sup>29</sup> O'Connell showed Pryme an Irish Act of Parliament for the suppression of "Rapparees, Tories, and other Robbers." Pryme's "Recollections," p. 231.

<sup>30</sup> A German writer, Herr Bucher, wrote as follows, in 1855: – "It would be difficult to give any other definition of the two parties than that a Whig is a man who is descended from Lord John Russell's grandmother, a Tory, one who sits behind Disraeli." "Der Parlamentarismus wie er ist," p. 152.

<sup>31</sup> "I have a maxim," wrote Horace Walpole to his friend Montague in 1760, "that the extinction of party is the origin of faction." "Letters," vol. iii. 370.

minorities is among the primary instincts of party government. The excellent effects of this system are obvious. Of the two ways of obtaining political adherents the attachment of party is infinitely preferable to the attachment of personal interest, formerly so prolific a source of corruption. Party feeling may also be said to have created general rules of politics, similar to a general code of morals by which a man may "walk with integrity along the path chosen by his chiefs, surrounded and supported by his political colleagues."

Opposition is invaluable as providing a stern criticism of the Government's policy; it can also very often be of service to the cause it is intended to injure. It excites a keener public curiosity, by directing attention to the motives of those whom it suspects. And "the reproaches of enemies when refuted are a surer proof of virtue than the panegyrics of friends."<sup>32</sup> That the system must possess certain disadvantages is inevitable. It no doubt engenders animosity and provokes violent contentions: it stimulates politicians to impute to their opponents corrupt motives which they could not for a moment imagine themselves capable of entertaining. It may also on occasion tempt them to continue obstinately in the support of wrong, because the admission of a mistake would be hailed as a triumph for their enemies. "The best cause in the world may be conducted into Faction," as Speaker Onslow said; "and the best men *may* become party men, to whom all things appear lawful, which make for their cause or their associates."<sup>33</sup> But as a rule the game of politics is played with commendable fairness and an absence of undue acrimony. The Opposition, whose well-known duty it is "to oppose everything, to propose nothing, and to turn out the Government,"<sup>34</sup> rarely makes its attacks the vehicle for personal spite. Politicians of adverse views do not carry their antagonism into private life, and off the stage of Parliament the bitterest opponents are able to exist upon amicable terms. Occasionally, however, political differences have been the cause of ruptured friendship. When Burke made a violent attack upon Fox, in 1791, on the Canada Bill, he declared that if necessary he would risk the latter's lifelong friendship by his firm and steady adherence to the British Constitution. Fox leaned across and whispered that there was no loss of friends. "Yes," replied Burke, "there *is* a loss of friends. I know the price of my conduct. I have done my duty at the price of my friend. Our friendship is at an end!" So terminated an intimacy of twenty-five years' standing. Such an incident may, nevertheless, be considered exceptional, the relations of antagonists being usually of a most harmonious kind. Sir Robert Peel and Lord John Russell would often be seen together engaged in friendly conversation. O'Connell once walked arm in arm down Whitehall with Hughes Hughes, the member for Oxford, whose head he had but recently likened to that of a calf.<sup>35</sup> And the present Prime Minister and Leader of the Opposition are doubtless able to play bridge or golf together without actually coming to blows. In spite, therefore, of much criticism, what Emerson calls "that capital invention of freedom, a constitutional opposition,"<sup>36</sup> has been found to be the most practical and satisfactory means of carrying on government.

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<sup>32</sup> See Parr's "Discourse on Education," p. 51.

<sup>33</sup> "Anecdotes and other miscellaneous pieces" left by the Rt. Hon. Arthur Onslow. (From the MS. at Clandon.)

<sup>34</sup> This saying has often been wrongly attributed to Lord Randolph Churchill. That statesman's most famous maxim on the subject of Opposition is given in his son's "Life" (p. 188-9): "Whenever by an unfortunate occurrence of circumstances an Opposition is compelled to support the Government," said Lord Randolph, "the support should be given with a kick and not with a caress, and should be withdrawn on the first available moment."

<sup>35</sup> This was evidently a favourite simile of O'Connell's. He used it again with reference to Mr. Shaw, member for Dublin University, in the debate on the resolution for giving a grant to Maynooth College for the education of Roman Catholics.

<sup>36</sup> "English Traits," p. 46.

## CHAPTER II

# THE HOUSE OF LORDS

No constitutional principle has been so strongly criticised and so freely abused as the one embodied in the hereditary chamber which forms so important a branch of our legislature. Pulteney labelled the House of Lords a "hospital for invalids"; Burke contemptuously referred to it as "the weakest part of the Constitution"; Lord Rosebery has compared it to "a mediæval barque stranded in the tideway of the nineteenth century." A more democratic modern statesman, who doubtless hopes

"To build, not boast, a generous race;  
No tenth transmitter of a foolish face,"

has declared the only legislative qualifications of peers to consist in their being the first-born of persons possessing as little qualifications as themselves. While another politician cynically observes that they represent nobody but themselves, and enjoy the full confidence of their constituents.

The House of Lords has long been the butt of the political satirist, and parliamentary reformers have attacked it for years patiently and persistently, hitherto without much success. "We owe the English Peerage to three sources," said a character in "Coningsby"; "the spoliation of the Church; the open and flagrant sale of its honours by the elder Stuarts; and the borough-mongering of our own times." And this bitter criticism is often quoted to prove the weakness of any form of hereditary government.

The suggestion that heredity can confer any peculiar qualifications, rendering a person more fit than his fellows for parliamentary power, is no doubt illogical, but not more so perhaps than a thousand other ideas which govern the affairs of men. The form of government by majority, for instance, – which Pope called "the madness of the many for the gain of a few" – is obviously open to criticism. Hereditary legislation has, at any rate in the eyes of its supporters, the merit of having answered well enough in practice, and, however theoretically indefensible, is not more so than hereditary kingship. The Sovereign does not inherit sagacity any more than the Duke of Norfolk, as Lord John Russell justly observed, and it would be unwise as well as unsafe to hang the Crown on the peg of an exception. It is as well, however, to remember that the Sovereign is a constitutional monarch whose powers nowadays are much restricted, whereas the Lords have the right to exercise a legislative veto the use of which kings have long since resigned.

Talent is not hereditary. No man chooses a coachman, as the first Lord Halifax once remarked, because his father was a coachman before him. But the descendant of a long line of coachmen is likely to know more about the care of horses than the grandson of a pork butcher, however eminent; and the scion of a race of legislators is at least as fully qualified for the duties of a legislator as many a politician whose chief reason for entering Parliament is the desire to add the letters M.P. to his name. Nevertheless, as has been recently pointed out by tactless statisticians, the great men of the past have but seldom bequeathed their admirable qualities to their *eldest* sons, and in a list of modern statesmen will be found but few of the names once famous in English history.

The necessity for a second chamber of some sort has always been admitted, if only to prevent the other House from being exposed to what John Stuart Mill calls "the corrupting influence of undivided power," and Cromwell "the horriddest arbitrariness that was ever known in the world." Few, however, of the most ardent admirers of the hereditary system will pretend that the problem of a perfect bicameral system is solved by the present House of Lords, though they may doubtless claim that the cause of its failure does not rest entirely upon its basis of heredity. "You might as

well urge as an objection to the breakwater that stems the unruly waves of the sea, that it has its foundations deep laid in another element, and that it does not float on the surface of that which it is to control," said Palmerston, "as say that the House of Lords, being hereditary, ought on that account to be reformed."<sup>37</sup>

If age can confer dignity and distinction upon any assembly, then must the House of Lords be peculiarly distinguished, for it is certainly the most venerable as well as the most antiquated of our Parliamentary institutions.

When Christianity became firmly established in England, each king of the Heptarchy was attended by a bishop, whose business it was to advise his royal master upon religious questions, and who thus acquired the power of influencing him in other matters as well. The minor kings were gradually replaced by earls, who were summoned, together with their attendant bishops, to the Witenagemot of the one ruling sovereign of the country. An assembly of this nature was held as far back as 1086, but it was more in the nature of a judicial Court than a Parliament. It consisted of the Archbishop of Canterbury and all other bishops, earls, and barons, and was summoned to decide important judicial cases. This Court, or *Curia Regis* as it was called, met at different times and in divers places. It transacted other business besides the judicial, and also corresponded to some extent with the more modern *levée*. It was originally composed of the Lords, the great officers of State, and some others whom the king wished to consult.

The exact position which such nobles held in the great Council of the land is not very definite. Immediately after the Conquest an earldom appears to have been regarded as an office; but it was not necessarily hereditary. Later on the possession of lands, either granted direct by the Crown or inherited, became a necessary qualification for the holder of an earldom. The transfer of titles and property in early days was a rough and ready affair, in which might played as great a part as right. (When Edward I. required the old Earl de Warrenne to produce his title deeds, the latter brought out a rusty sword that had belonged to his ancestors. "By this instrument do I hold my lands," he said, "and by the same do I intend to defend them!") But with the natural idea of the transference of land from father to son there developed the principle of the natural hereditary descent of the title dependent upon the possession of those lands.

The baronage did not come into existence until after the Conquest. In the reign of Henry I. it was entirely composed of foreigners from France. Barons held no regular office, but their lands were transferred on the hereditary principle. They owed military allegiance to the Crown, but did not necessarily sit in Parliament unless summoned to attend by the king. Such a summons was long regarded as a burden rather than a privilege, and even in the days of King John the barons only desired it as a protection from the imposition of some exceptional tax. The bishops and barons were then the natural leaders of the people; they alone were educated and armed, and they alone could attempt any successful resistance to the exorbitant demands of the Crown. They paid nearly all the taxes, and provided money for the prosecution of every war. Upon them the commonalty was dependent, looking to them for assistance when the sovereign became too grasping or tyrannical. It was the barons who forced King John to sign Magna Charta, and to them, therefore, we are indebted for the laws and constitution which we now possess. "They did not confine it to themselves alone," as Chatham declared in the House of Lords, on January 9, 1770, "but delivered it as a common blessing to the whole people." But though the present House of Lords has been described as composed of descendants of the men who wrung the Charter from King John on the plains of Runnymede, not more than four of the existing peerages are, as a matter of fact, as old as Magna Charta.

The feudal barons by tenure, whose right to a Parliamentary summons gradually became hereditary as going with their lands, were gradually joined by other prominent men who, though not landowners, were summoned to give the Council the benefit of their experience and advice. Thus

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<sup>37</sup> In a speech delivered at a banquet in Glasgow on January 13, 1837.

gradually evolved the modern system of hereditary legislators, and the House of Lords developed into an assembly such as we now know it, though numerically far smaller.

In Richard II.'s reign the *Curia Regis* separated from Parliament and became a Privy Council. The Lords were then as unwilling as the Commons to attend diligently to their Parliamentary duties, and it was only the subsequent creation of dukes, marquesses, and viscounts that stimulated the desire to sit and claim a writ of summons as a right.

The number of earls and barons summoned to Parliament in the reigns of the first three Edwards varied from fifty to seventy-five. At times, owing to the absence of the fighting men of the country who were engaged in foreign warfare, it fell as low as sixteen. In the first Parliament of Henry VIII. there were less than thirty temporal peers, but in Elizabeth's time this number had doubled. Since Stuart days the Lords have become more and more numerous. James I. granted peerages right and left to his favourites, and, by selling baronies, viscountcies, and earldoms for sums ranging from £10,000 to £20,000, enriched his coffers and added some fifty members to the Upper House. The eighty-two temporal peers who sat in his first Parliament were gradually reinforced by his successors, until, in the time of George III., they numbered two hundred and twenty-four, exclusive of their ecclesiastical brethren.

The Lords spiritual have not always sat in the House of Lords. In early days the abbots and priors largely predominated in that assembly, but with the abolition of the monasteries they were banished from it, though a certain number retained their seats in right of the baronies which they possessed.<sup>38</sup> Bishops were excluded from the House of Lords by Act of Parliament in 1640 – Cromwell omitted to summon them to his Upper House in 1657 – and were not finally readmitted until 1661. Within living memory several unsuccessful attempts have been made to keep them out of Parliament. In 1836 a member of the Commons moved that spiritual peers be released from attendance, but his motion was defeated. Another member in the following year suggested their exclusion on the ground that they had plenty to occupy them elsewhere, that their contributions to debate upon most legislative subjects were not particularly edifying, and that they always voted with the Minister to whom they were indebted for preferment. This motion met a fate similar to that of its predecessor, as did another of the same kind in 1870.

To-day some twenty-six spiritual peers, including the two Archbishops of Canterbury and York, are given seats in the House of Lords, where they help to swell the number of that ever-increasing assembly.

Bishops usually confine themselves exclusively in the House of Lords to the discussion of matters which concern the spiritual welfare of the nation. Their contributions to debates are generally "edifying," and when they happen to cross swords with their lay brethren they are well able to hold their own. Bishop Atterbury, of Rochester, once said of a Bill before the House that he had often prophesied that such a measure would be brought up, and was sorry to find himself a true prophet. Lord Coningsby retorted that the Right Reverend Prelate had put himself forward as a prophet, but he would only liken him to a Balaam, who was reprov'd by his own ass. The Bishop at once replied that he was well content to be compared to Balaam. "But, my Lords," he added, "I am at a loss to make out the other part of the parallel. I am sure that I have been reprov'd by nobody but his Lordship!"<sup>39</sup>

With the creation of new peerages by successive monarchs the list of temporal peers lengthened year by year. The Union of the three kingdoms still further added to their number. By the Acts of Union with Scotland and Ireland it was laid down that sixteen Scottish and twenty-eight Irish

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<sup>38</sup> In the sixteenth century the Prior of the Hospital of St. John of Jerusalem (near Clerkenwell), whom Selden calls "a kind of an otter, a knight half-spiritual and half-temporal," had precedence of all the lay barons in Parliament. His priory was suppressed in 1536, but his name continued to appear spasmodically in the Journals of the House of Lords until some time in Queen Elizabeth's reign.

<sup>39</sup> Dr. King's "Anecdotes," p. 130. (It was a more modern politician who, on being reprov'd by an opponent, said, "Consider the case of Balaam's ass; before it spoke all men regarded it as quite an ordinary quadruped, but after it had spoken they discovered what an extraordinary ass it was!")

representative peers should sit in the House of Lords. These were to be elected by their fellow-peers, the former for each Parliament, the latter for life.<sup>40</sup> They may be distinguished in other particulars as well, for though a Scottish peer can at any time resign his seat, an Irish peer can never do so. Even though he be a lunatic, or otherwise incapable of attending, he still retains his place in the legislature. He is also privileged in other ways. In 1699 the Commons resolved that no peer could give his vote at the election of a Member of Parliament, and, three years later, that he could not interfere in elections. To-day a standing order of the House of Commons imposes the same restraint upon all but Irish peers, who are exempt from these restrictions.

In 1875 the House of Lords was strengthened judicially by the introduction of four Lords of Appeal. The House, as is well known, has judicial as well as legislative functions to perform. It has always been the Supreme Court of the realm, and, ever since the reign of Queen Elizabeth, the ultimate Appeal has lain to it in all cases except those arising in Ecclesiastical Courts. Moreover, as the High Court of Parliament, in conjunction with the Commons, it is empowered to try offenders against the State whom the Commons have impeached. It also enjoys the privilege of trying any of its own members who may be charged with treason or felony, and of determining any disputed claims of peerage which may arise.

There have always been a sufficient number of Lords learned in the law to provide a court for the trial of legal cases. In the past, however, occasions have arisen when the presence of lay peers has threatened to replace the judicial aspect of the House by a political one which would be fatal to its reputation as a court of appeal. It was not, indeed, until 1845 that lords unlearned in the law began to consider their presence during the hearing of judicial causes to be not only unnecessary but undesirable, and discontinued their attendance. Thirty years later the institution of four life peerages, conferred upon eminent lawyers, added still further weight to the legal decisions of the House. The hearing of appeals is now left entirely to what are called the Law Lords, who consist of the Lord Chancellor, a number of peers who have held certain high judicial offices, and the four Lords of Appeal in Ordinary – three of whom must, by the Appellate Jurisdiction Act of 1876, be present on all appeal cases.

The granting of life peerages, conferring rights of summons to the House of Lords, save as above stated, has been adjudged to be beyond the powers of the Crown. It may truly be said that in the first days of Parliament the House of Lords consisted almost entirely of life members. But when the Government of Queen Victoria attempted to revive a practice that had lain in abeyance for some centuries they were not allowed to do so.

The Supreme Court of Appeal had been violently attacked in the Commons, where certain members declared it to be inferior to any tribunal in the land. Palmerston in 1856 determined to remedy its defects by the addition of two Law Lords who should be life peers. This scheme was upheld by the Lord Chancellor, Lord Cranworth, but met with determined opposition in the Upper House. The Law Lords were especially opposed to it, fearing that, if such a precedent were allowed, no lawyer in the future would ever be given an hereditary peerage. On the Premier's recommendation the Queen proposed to confer life peerages upon two distinguished lawyers, Parke and Pemberton Leigh, and proceeded to issue a patent to the former, creating him Baron Wensleydale for life. When, however, the matter was referred to the Committee for Privileges, they decided that no life peer could either sit or vote in the House of Lords, and the Wensleydale and Kingsdown peerages had consequently to be made hereditary.

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<sup>40</sup> In November, 1908, the election of an Irish peer resulted in a tie between Lords Ashtown and Farnham. Such a thing had not happened since the Union. The difficulty was settled in a manner only perhaps possible in an institution as venerable as the House of Lords. In accordance with the provisions of the Act of Union, the Clerk of the Parliaments wrote the names of the candidates on two pieces of paper which he then put into a glass. One of these he drew out at random, and the peer whose name was inscribed thereon was declared to be duly elected.

Persons who are raised to the peerage to-day are made peers of the United Kingdom. No Scotch peer has been created since the Union in 1707, and the right of conferring an Irish peerage which existed under certain restrictions in the Act of Union has ceased to be exercised except upon one notable recent occasion.<sup>41</sup>

During the last fifty years some one hundred and fifty additions have been made to the membership of the House of Lords. The only limit to the numerical increase of peers would seem to lie in the good sense of the Prime Minister or the patience of the Sovereign. It is of course the latter who confers peerages, though as the former usually brings suitable candidates for ennoblement to the royal notice, he is generally held responsible for the result of his recommendations.<sup>42</sup>

The House of Lords now includes some 616 members, divided, as we have seen, into four classes; the Lords Spiritual, the Lords Temporal – Princes of the Blood, Dukes, Marquesses, Earls, Viscounts, Barons – the Representative Peers of Scotland and Ireland, and the Lords of Appeal in Ordinary.

The writ of summons, which did not cease to be regarded as a burden until the reign of Edward II., is now looked upon as a privilege and right which few peers would willingly forego. And the question of mutual precedence which was never mooted until the creation of Viscounts in Henry VI.'s time, is now a matter of the utmost importance to the occupants of the Gilded Chamber.

The first Parliament that is recognized as conferring the right of peerage was that of the eleventh year of Edward I. The Lords decided, in the recent case of Lord Stourton claiming the Barony of Mowbray, that a writ summoning a peer to this Parliament, followed by a sitting, gave his descendants a seat in the House.

All Peers of the Realm – a phrase which came into use in 1322 – are entitled to seats in the House of Lords once they have attained their majority. Infancy disqualifies a peer from receiving a writ of summons; failure to take the oath or to affirm deprives him of the right of sitting. No alien may sit in the Lords, nor may a bankrupt or a felon, and the House as a Court of Justice may at any time pass sentence disqualifying a peer from sitting.

The functions of the Upper House which have been the subject of so much recent controversy and are still engrossing the attention of Parliament and the public, have been in former times variously defined by friendly or adverse critics. The Lords have been described as the brake on the parliamentary wheel or as the clog in the parliamentary machine. Horace Walpole wrote some bitter verses on the subject of that House whose members "sleep in monumental state, to show the spot where their great Fathers sate;"

"Thou senseless Hall, whose injudicious space,  
Like Death, confounds a various mismatched race,  
Where Kings and clowns, th' ambitious and the mean,  
Compose th' inactive soporific scene."<sup>43</sup>

Peers themselves no doubt regard the Upper Chamber as a haven where merit may receive its ultimate reward; where the achievements and the recompense of the deserving are suitably immortalized. As a "compact bulwark against the temporary violence of popular passion," to use

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<sup>41</sup> Lord Curzon of Kedleston was so created in 1898.

<sup>42</sup> When the last Liberal Government of Queen Victoria came into office the Court officials were discussing the new Administration one day at Windsor. "I wonder what peers they'll make," remarked one of the ladies-in-waiting. The Queen turned upon her with uplifted eyebrows. "They!" she exclaimed. An uncomfortable silence ensued. Again, in 1909, a Cabinet Minister's allusion in a speech to certain newspaper proprietors whom a Conservative Prime Minister had "taken the precaution to make into barons" inspired the King's private Secretary to write a letter to a correspondent in which he stated that, notwithstanding the Minister's statement, "the creation of Peers remains a Royal prerogative."

<sup>43</sup> "Letters to Sir H. Mann," vol. i. p. 380.

Disraeli's phrase, and as a council for weighing the resolutions of the Commons who may at times be led away by public clamour or a sudden impulse, the Second Chamber is regarded by its defenders as of the greatest constitutional value. Lord Salisbury once declared that the chief duty of the House of Lords was to represent the permanent as opposed to the passing feelings of the English nation; "to interpose a salutary obstacle to rash or inconsiderate legislation; and to protect the people from the consequences of their own imprudence." Moreover, the Upper House thus has an opportunity of improving the details of measures, many of which leave the House of Commons in an unworkable shape, owing to the conditions under which they are amended and passed through it, and, but for the alterations effected by the Lords, would remain unworkable when they came to be embodied in the Statute-book.

It has never been the course of the Upper House to resist a continued and deliberately expressed public opinion. The Lords, as Lord Derby affirmed in 1846, "always have bowed and always will bow, to the expression of such opinion."<sup>44</sup> But although history to a certain extent bears out this statement, on more than one occasion the hand of popular clamour has battered at their doors for a long time before wringing from them a reluctant acquiescence. There can be no doubt that if the country were to express itself definitely upon any question at a General Election, no House of Lords would be strong enough (or weak enough) to attempt to thwart the public will. But there have been numerous instances in which the peers have endeavoured without success to do so. In vain did they delay Parliamentary Reform in 1831, when Sidney Smith likened the House of Lords to Mrs. Partington, the old lady of Sidmouth who, during the great storm of 1824, tried to push away the Atlantic with her mop.<sup>45</sup> In vain did they inveigh against the passing of the Jewish Oaths Bill or the Bill for the abolition of the Corn Laws. They were eventually compelled to pass the latter, not because they thought it a good Bill, but because, as the Duke of Wellington said, it had passed the House of Commons by a huge majority, and "the Queen's Government must be supported."

On the other side it may be said that they have occasionally interpreted more successfully than the Lower House the views of the electorate, and of this perhaps the rejection of the Home Rule Bill of 1893 is the most prominent example.

Even without actually rejecting Bills the Lords have frequently opposed the will of the Commons by returning the Bills sent up to them in so amended and altered a shape as to prove wholly unacceptable; and an appeal to the country upon every point of difference, or even upon every Bill wholly rejected, is of course impracticable.

In some such cases the Commons have had recourse to a method of coercing the Lords, known by the name of "tacking," which depends for its efficacy upon the acceptance of certain doctrines relating to Money Bills laid down by the Commons at intervals during the last three centuries, and in the main acquiesced in by the Lords.

The history of the matter, though of acute interest at the present time, is too long to go into here. It will be sufficient to mention that in 1678, as the result of a violent struggle between the two Houses, the Commons passed Resolutions asserting (not for the first time) that all Money Bills must have their origin in the Lower House, and that the Hereditary Chamber is powerless to amend them. And though the Lords at the time protested against both these conclusions, by their action through a long course of years they must be taken to have acquiesced in them. If, then, the Lords were unable to amend a Money Bill, they might be compelled to accept an obnoxious measure of a different nature if it were included in such a Bill, the whole of which they would be loth to throw out. This was the process adopted in several instances by the Commons, against which the Lords passed, in 1702, a Standing Order declaring the "annexing any foreign matter" to be "unparliamentary and tending to the destruction of the Constitution."

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<sup>44</sup> On the Second Reading of the Corn Importation Bill, May 25, 1846.

<sup>45</sup> "Works," p. 564.

In 1770 the Commons brought in a Bill to annul the royal grants of forfeited property, and, knowing that it would be objectionable to the Upper House, cunningly tacked it on to a Money Bill. The Lords returned it, with the foreign matter excised; but it was sent back to them once more, and, acting on the advice of the Duke of Marlborough who counselled concession, they eventually swallowed the whole mixture as gracefully as they could find it in their hearts to do. In 1860, the two Houses came into collision again on the same subject, when the Lords threw out the Bill abolishing the duty on paper, which was a financial question. Gladstone retorted in the following year by tacking this Bill on to the Budget, and in this shape the Lords passed it. But their right of rejection – which indeed is involved in the necessity for their assent to every Bill – was never questioned, either in 1678 or since, until the Budget Bill was thrown out in December, 1909, when the whole question of the relations between the two Houses was brought into vital prominence and made the subject of an agitation not easily to be assuaged.

There has always existed a spirit of antagonism between the two Houses. Gladstone declared that the Commons were eyed by the Lords "as Lancelot was eyed by Modred," and this mutual antipathy has occasionally expressed itself in overt acts of rudeness. During a debate in the Lords in 1770, on the defenceless state of the nation, a peer moved that the House be cleared of strangers. A number of the Commons happened to be standing at the Bar, but, notwithstanding their protests, they were unceremoniously hustled out, being followed by a volley of hisses and jeers as they left the Chamber. The Duke of Richmond and many other peers were so disgusted at this exhibition of ill-feeling that they walked out of the House. Colonel Barré has left a graphic description of the scene. The Lords, he says, developed all the passions and violence of a mob. "One of the heads of this mob – for there were two – was a Scotchman. I heard him call out several times, 'Clear the Hoose! Clear the Hoose!' The face of the other was scarcely human; for he had contrived to put on a nose of enormous size, that disfigured him completely, and his eyes started out of his head in so frightful a way that he seemed to be undergoing the operation of being strangled."<sup>46</sup>

Two years after this scene, in 1772, Burke was kept waiting for three hours with a Bill which he was carrying from the Commons to the Lords. When he subsequently reported his ill-treatment to the Lower House, their indignation knew no bounds, and they proceeded to revenge themselves in a somewhat puerile manner. The very next Bill that the House of Lords sent down to them was rejected unanimously, and the Speaker threw the offensive measure on to the floor of the House, whence it was kicked to the door by a number of indignant members.

It is not difficult to understand the cause of jealousy and anger between the Houses, in spite of the fact that so many of the Lords have at one time or another been members of the Commons, and so many of the Commons hope to end their days in the Lords. (Croker, in a letter to Lord Hatherton, recalls a visit he paid as a stranger to the Upper House in 1857, where, of the thirty peers present, there was not one but had sat with him in the Commons, including the Duke of Wellington and the Lord Chancellor. "It shows," he says, "how completely the House of Commons has been the nursery of the House of Lords."<sup>47</sup>) The resentment against the Lords that undoubtedly exists in the bosoms of the Commons, which is not confined to one side of the House, but seems to be universal, results from the power of rejection which the peers can at any time exercise with regard to a measure, or of making amendments by which they can alter it out of all recognition, thus nullifying in a single day the labours of months in the Lower House. And when it is considered that this ruinous result is due not only to men who owe their seats to their successful exertions in various professions, but also

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<sup>46</sup> The peer in question had not donned a false nose for the occasion, as might be imagined, but was merely wearing the ordinary working nose of aristocratic proportions with which Providence had supplied him.

<sup>47</sup> Croker's "Letters," vol. i. p. 85.

in larger proportion to those who owe them to being, as Lord Thurlow said of the Duke of Grafton, "the accident of an accident,"<sup>48</sup> the situation must to many minds appear wholly intolerable.

One very clear cause of failure in the House of Lords to give satisfaction lies in the fact that, although government by Party is the very groundwork of the parliamentary constitution, as far as the Upper House is concerned such an idea might just as well not exist at all. Whatever the political complexion of the party in power in the House of Commons, the Lords maintain an invariable Conservative majority, indifferent to the swing of any popular pendulum, and as fixed and unalterable as the sun. But at no time for the last century has the inequality been so marked as at present, when it may be truthfully said that the Liberal peers would scarcely fill a dozen "hackney coaches."<sup>49</sup> And though the Liberal party has created a considerable number of peers during the last few years, it has never recovered from the secession of Liberal Unionists, and it would take many years of Liberal supremacy and large drafts upon the Prerogative of the Crown to restore even the comparative balance of early Victorian days.

This may or may not be an advantage, for though the staunch Tory is tempted to exclaim in the words of Disraeli: "Thank God there is a House of Lords!" the equally staunch Radical is scarcely likely to consider the existence of this perpetually antagonistic majority a sufficient cause for gratitude towards the Almighty. The difficulty of equalising the parties seems insurmountable, so long as ennoblement is an expensive luxury and Peers continue to be drawn from the wealthy classes.<sup>50</sup> There is, too, something essentially Conservative about the atmosphere of the House of Lords, which sooner or later impregnates the blood of its inmates; under its influence the Liberal of one generation rapidly exhibits a tendency to develop into the Conservative of the next. But this charge is no doubt one which may be brought with more or less truth against any Second Chamber, however constituted, which is composed of men of a certain age and position, not immediately responsible to the fluctuating voices of the people. Whether one considers such stability to be a merit or the reverse depends upon whether one adopts Lord Palmerston's and Lord Salisbury's views of the functions of a Senate, or regards it merely as a useful and select body of legislators enjoying certain limited powers of criticism and delay.

So much has been written about this great modern controversy, that it is unnecessary to increase the literature which exists upon both sides. The issue seems to lie between reducing the Second Chamber to comparative impotence or attempting by judicious reforms in its composition to bring it into greater sympathy with the First Chamber.

The Resolutions recently passed by the Commons,<sup>51</sup> have for their object the complete annihilation of the latter in all matters of finance, and the retention for them of such modified

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<sup>48</sup> One is reminded of the reply addressed by the Emperor Alexander to Madame de Stael who was complimenting Russia on possessing so able a ruler. "Alas, Madame," he said, "I am nothing but a happy accident!"

<sup>49</sup> At the time of the French Revolution, the country supported the Government so strongly that the Opposition dwindled away to nothing. It was even jestingly asserted that the Whigs could all have been held in one hackney coach. "This is a calumny," said George Byng; "we should have filled two!" Campbell's "Lives of the Chancellors," vol. v. p. 614.

<sup>50</sup> It is suggested that the balance of party could be adjusted by the Government persuading the Crown to create a number of peerages sufficient to flood the House with peers of their particular political persuasion. In 1712, Queen Anne was prevailed upon to create twelve peers in a single day, in order to pass a Government measure. "If these twelve had not been enough," said Bolingbroke, "we could have given them another dozen!" William IV. was prepared to create a hundred new peers to ensure the passing of the Reform Bill of 1832. It remains to be seen whether such an idea is nowadays practicable.

<sup>51</sup> "1. That it is expedient that the House of Lords be disabled by Law from rejecting or amending a Money Bill, but that any such limitation by Law shall not be taken to diminish or qualify the existing rights and privileges of the House of Commons." "For the purpose of this Resolution a Bill shall be considered a Money Bill if, in the opinion of the Speaker, it contains only provisions dealing with all or any of the following subjects, namely, the imposition, repeal, remission, alteration, or regulation of taxation; Charges on the Consolidated Funds or the provision of Money by Parliament; Supply; the appropriation, control, or regulation of public money; the raising or guarantee of any loan or the repayment thereof; or matters incidental to those subjects or any of them." "2. That it is expedient that the powers of the House of Lords, as respects Bills other than Money Bills, be restricted by Law, so that any such Bill which has passed the House of Commons in three successive Sessions, and, having been sent up to the House of Lords at least one month before the end of the Session, has been rejected by that House in each of those sessions, shall become Law without the consent

powers of influencing other legislation as would enable them to delay Bills during the early years of a shortened Parliament, and refer them to the country during its last two years. The question of "tacking," in Money Bills, is to be referred to the sole arbitrament of the Speaker; but this becomes of trifling importance when it is argued that almost any revolutionary change could be effected within the corners of a legitimate financial measure. The objection taken to the overriding of the Veto in the case of a Bill thrice presented, is that it amounts to one-Chamber legislation and would result in two classes of Acts – one passed by the Commons alone, and the other by both Houses.

The policy of Reform, on the other hand, is unacceptable to those who desire the predominance of the First Chamber, as any successful scheme for removing present defects in the constitution of the Lords —*e. g.* the excessive size of the House, the preponderance therein of one party, and the presence of undesirable members – must result in its increased strength and importance. Consequently the Commons have neither made nor encouraged any attempts in that direction.

Such suggestions as have taken any shape have been proposed by the Lords themselves, and the history of the last thirty years exhibits many internal efforts to reform on the part of those dissatisfied with the ancient constitution of the House. In 1884, Lord Rosebery's motion for a Select Committee to consider the best means of promoting the efficiency of the House of Lords, was negatived. Four years later he moved for another Select Committee to inquire into the Constitution of the House. In the same year an elaborate Bill of Lord Dunraven's for reforming the Lords was rejected, and another, promoted by Lord Salisbury, was withdrawn after having passed the second reading. In 1908 a committee met, under the chairmanship of Lord Rosebery, to look into the whole question, and issued a most interesting and practical report, full of admirable recommendations. This committee began by pointing out the expediency of reducing the numbers of an assembly which, within recent years has increased to such an extent as to render itself too unwieldy for legislative purposes. It strongly urged that the recommendations to the Crown for the creation of hereditary peerages should be restricted within somewhat narrower limits. Many peers, as the report explained, are obviously ill-suited to their Parliamentary duties; others find the work irksome and distasteful; of a few it may euphemistically be observed that their release from the burden of legislative responsibilities would be eminently desirable. Lord Rosebery's committee therefore came to the conclusion that the dignity of a peer and the dignity of a Lord of Parliament should be separate and distinct, and that, except in the case of peers of the Blood Royal, the possession of a peerage should not necessarily be attended with the right to sit and vote in the House of Lords. A further suggestion was made that the hereditary peers should be represented by two hundred of their number, elected by them to sit as Lords of Parliament, not for life, but for each parliament, and that the number of Spiritual Peers should be proportionately reduced to ten. The inclusion of representatives from the Colonies, and the granting of a writ of summons to a number of qualified persons who had held high office in the State, figured prominently in this scheme of reform.

Following up these recommendations, the House on the motion of Lord Rosebery has recently adopted the following resolutions for its own reconstitution: —

"(1) That a strong and efficient Second Chamber is not merely an integral part of the British Constitution, but is necessary to the well-being of the State and to the balance of Parliament.

"(2) That such a Chamber can best be obtained by the reform and reconstitution of the House of Lords.

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of the House of Lords on the Royal Assent being declared; Provided that at least two years shall have elapsed between the date of the first introduction of the Bill in the House of Commons and the date on which it passes the House of Commons for the third time."For the purposes of this Resolution a Bill shall be treated as rejected by the House of Lords if it has not been passed by the House of Lords either without Amendment or with such Amendments only as may be agreed upon by both Houses.""<sup>3</sup>. That it is expedient to limit the duration of Parliament to five years."

"(3) That a necessary preliminary of such reform and reconstitution is the acceptance of the principle that the possession of a peerage should no longer of itself give the right to sit and vote in the House of Lords."<sup>52</sup>

We are sometimes tempted nowadays to laugh, like "the gardener Adam and his wife," at the claims of long descent. But the pride of birth and blood is common to all nations, perhaps less so in England than elsewhere. The French ducal family of Levis boasted a descent from the princes of Judah, and would produce an old painting in which one of their ancestors was represented as bowing, hat in hand, to the Virgin, who was saying, "Couvrez-vous, mon cousin!" Similarly the family of Cory possessed a picture of Noah with one foot in the ark, exclaiming, "Sauvez les papiers de la maison de Cory!"<sup>53</sup> Byron is said to have been prouder of his pedigree than of his poems, and it is to be hoped that our aristocracy will never entirely forget that their ancestors have handed down to them traditions which are more precious than the titles and lands by which they are represented.

One cannot altogether relish the sight of several peers, who had been considered incompetent to manage their own affairs, hastening to Westminster at the call of a party "Whip" to record their votes upon Imperial concerns of the greatest importance. And though it must be admitted that it is rare indeed for the incompetent or degenerate members of the Upper House to take any part in its deliberations, the fact that they have the undoubted right to do so scarcely tends to enhance the respect in which that assembly is popularly held. In spite, however, of the occasional presence of "undesirables," it is generally acknowledged that if any question arises requiring a display of more than ordinary knowledge of history, or more practical wisdom or learning, these can nowhere be found so well as in the Upper House. There, too, the level of oratory and of common sense is perceptibly higher than in the popular assembly. But the Reform Bill of 1832 enabled the Commons to speak in the name of the people, which they had never hitherto done, and which the Lords cannot do, and thus created that wide gulf which now separates them from the House of Lords. Here, however, as well as there, are many men who realise that, in the words of Lord Rosebery, they have a great heritage, "their own honour, and the honour of their ancestors, and of their posterity, to guard."<sup>54</sup>

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<sup>52</sup> The following further Resolutions stand upon the Notice Paper and still await consideration: —"(1) That in future the House of Lords shall consist of Lords of Parliament: A. Chosen by the whole body of hereditary peers from among themselves and by nomination by the Crown. B. Sitting by virtue of offices and of qualifications held by them. C. Chosen from outside."(2) That the term of tenure for all Lords of Parliament shall be the same, except in the case of those who sit ex-officio, who would sit so long as they held the office for which they sit."

<sup>53</sup> Hayward's "Essays," p. 305.

<sup>54</sup> Hansard, vol. 289, p. 957 (1884).

## CHAPTER III

### THE HOUSE OF COMMONS

The Witenagemot, as we have already seen, was essentially an aristocratic assembly. The populace sometimes attended its meetings, but, beyond expressing their feelings by shouts of approval, took no part in its deliberations. For many years after the Conquest the People continued to be unrepresented in the Great Council of the nation, though they were still present as spectators. From 1066 until about 1225, says Blackstone, the Lords were the only legislators. After the latter date the Commons were occasionally summoned, and in 1265 they formed a regular part of the legislature. Then for the first time did the counties of England return two knights, and the boroughs and cities two deputies each, to represent them in Parliament. Seventy-four knights from all the English counties except Chester, Durham, and Monmouth,<sup>55</sup> and about two hundred burgesses and citizens, sat in the Parliament of Edward I.; but it was not until the reign of his successor that any attempt was made to form a constitutional government.

The Three Estates in those days sat in the same Chamber, but did not join in debate. The Lords made the laws, and the Commons looked on or perhaps assented respectfully. The separation of the two Houses took place in the reign of Edward III., when the knights threw in their allegiance with the burgesses, and in 1322 the Lower House<sup>56</sup> first met apart.

The power of the Commons increased gradually as time advanced. By the end of the thirteenth century they had secured sufficient authority to ensure that no tax could be imposed without their consent. By the middle of the fourteenth no law could be passed unless they approved. But many centuries were yet to elapse before the chief government of the country passed into their hands.

The expense of sending representatives to Parliament was long considered a burden, many counties and boroughs applying to be discharged from the exercise of so costly a privilege. The electors of those days were apparently less anxious to furnish a Member for the popular assembly than to save the payment of his salary. Indeed, the city of Rochester, in 1411, practised the frugal custom of compelling any stranger who settled within its gates to serve a term in Parliament at his own expense. He was thus permitted to earn his freedom, and the parsimonious citizens saved an annual expenditure of about £9.<sup>57</sup>

With the gradual growth of parliamentary power the importance of electing members to the House of Commons began to be recognized, and, during the Wars of the Roses, fewer and fewer applications were made by boroughs and cities anxious to be relieved of this duty.

Until Henry VI.'s time, when the modern system of Bills and Statutes began to come into being, legislation was by Petition. The control of Parliament was still very largely in the hands of the Crown, and successive sovereigns took care that their influence over the Commons should be maintained. With this object in view Edward VI. enfranchised some two-and-twenty rotten boroughs, Mary added fourteen more, and in Elizabeth's time sixty-two further members, all under the royal control, were sent to leaven the Commons.

The attendance in the Lower House was still poor, not more than two hundred members ever taking part in the largest divisions, and it was only at the culmination of the conflicts between Parliament and the Stuart Kings that the Commons began to display a real desire for independent power.

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<sup>55</sup> Durham, both County and City, was not enfranchised until 1673, and Monmouth was regarded as a Welsh County.

<sup>56</sup> "The House of Commons is called the Lower House in twenty Acts of Parliament," says Selden. "But what are twenty Acts of Parliament amongst friends?" – "Table Talk," p. 36.

<sup>57</sup> "Quarterly Review," vol. xxix. p. 63.

If the Revolution of 1688 firmly and finally established the supremacy of Parliament, it was only a supremacy over the Crown. The democratic element to which we are accustomed in a modern House of Commons was still conspicuously lacking. Both Houses remained purely aristocratic in character until long after this. Whigs and Tories might wrangle over political differences; they were at one in their determination to uphold the interests of a single privileged class. "This House is not the representative of the people of Great Britain," said Pitt in the Commons in 1783; "it is the representative of nominal boroughs, of ruined and exterminated towns, of noble families, of wealthy individuals, of foreign potentates." Eight members of Parliament were then nominated by the Nabob of Arcot, and in 1793 the Duke of Norfolk's nominees in the House numbered eleven. The Crown, the Church, and the aristocracy governed the country. The Commons were an insignificant body, open to bribery, dependent upon rich patrons or upon electors whose corruption was notorious. Prior to 1832, only 170 out of some 658 members of Parliament were independent; the remainder were nominated by wealthy individuals. The Reform Bill of 1832, however, brought about a mighty change for the better. The electorate of the country was raised from 300,000 to 1,370,000. Fifty-six corrupt boroughs were disfranchised, thirty-one were deprived of one member each, and two others were reduced; and the hitherto inadequate representation of other towns and boroughs was rectified.

The Reformed Parliament that met in the following year differed in many respects from its predecessors. Sir Robert Peel was much struck by the alteration in tone, character, and appearance of the new House of Commons. "There was an asperity, a rudeness, a vulgar assumption of independence, combined with a fawning reference to the people out of doors, expressed by many of the new members, which" (as he told his friend Raikes) "was highly disgusting."<sup>58</sup> The Duke of Wellington, who had gone to the Peers' Gallery of the House of Commons to inspect the new Parliament, expressed his opinion more tersely. "I never saw so many shocking bad hats in my life!" he said. The spirit of democracy had crept in, but it was still an unwelcome visitor. For many years the aristocracy maintained a great preponderance in the House of Commons – in 1868 that assembly comprised 45 heirs of peerages, 65 younger sons of peers, and 57 baronets<sup>59</sup> – but its power decreased year by year, though even now it cannot be said to be wholly extinct.

By the Reform Acts of 1867 and 1884 the franchise qualifications were once more extended, and three and a half million names added to the register. With the election, in 1874, of the first Labour candidates – of whom one, at least, was a genuine working-man – the Commons gradually began to assume that representative appearance which it now presents.

During the last three centuries the Lower House has increased very considerably in size as well as in importance. It numbered 300 in the reign of Henry VI., and 506 at the time of the Long Parliament. In 1832, by which time the Acts of Union had added 45 Scottish and 100 Irish members,<sup>60</sup> the numbers had risen to 658, and to-day some 670 members sit in Parliament.

The House of Commons has long ago shaken off the shackles of the Crown, and will perhaps some day be almost as wholly emancipated from the influence of the aristocracy. Its power is increasing yearly, owing mainly to the fact that it has gained the confidence of the country, and it is now generally felt that when any great question arises, the House will solve it, as Disraeli said some fifty years ago, "not merely by the present thought and intelligence of its members, but by the accumulated wisdom of the eminent men who have preceded them."<sup>61</sup>

To appreciate the exact nature of those inducements which tempt a man to enter Parliament must often prove perplexing to the lay mind. To Charles James Fox the pleasures of patronage seemed the circumstances which chiefly rendered desirable the possession of political power. But

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<sup>58</sup> Raikes's "Journal," vol. i. p. 157.

<sup>59</sup> "Pall Mall Gazette," December 28, 1860.

<sup>60</sup> The Irish members were increased to 105 in 1832, but subsequently reduced to 103, fifty years later.

<sup>61</sup> Hansard, "Debates," 18 April, 1864.

the patronage in the hands of a private member to-day is of too insignificant a nature to prove an irresistible temptation, and political power of an appreciable kind is reserved for the very few.

The life of the modern legislator is a strenuous and an expensive one; it cannot be successfully undertaken by a poor or an idle man. Before a candidate may stand for Parliament at all he must deposit a substantial sum with the Returning Officer, and the mere expenses of election vary from £350 to £900 in boroughs, and from £650 to as much as £1800 in counties.<sup>62</sup> Add to this the annual sum – variously computed at from £200 to £500 – which a member spends in subscriptions within his constituency, and it can readily be imagined that the parliamentary life is not open to all. There would, indeed, seem to be some justification for the criticism of that cynical member who said that he had often heard the House of Commons called "the best club in London," and supposed that it was so termed because it demanded the largest entrance fee.<sup>63</sup> A few fortunate candidates have their election expenses paid by a party or by Trades Unions, but these are in the minority, and the comparatively large cost of entering Parliament is the chief reason why, in spite of the democratic tendency of modern political thought, the House of Commons still remains in large measure a delegation of the richest if not perhaps of the most aristocratic class in England. This state of things is likely to continue unless some system is adopted of remunerating the services of legislators in the fashion which long prevailed in England and is still in vogue upon the Continent. But it is certainly open to argument whether its adoption would improve the quality of the House or the respect entertained for it in the country.

In the Parliaments of Edward III. members received regular payment, the wages varying from year to year. At the beginning of the fourteenth century, for example, the knights of Dorsetshire were paid 5s. a day; later on this was reduced to 1s. 6d. In 1314 the daily wage of county members was 4s., and they were also allowed a small sum to cover travelling expenses. In Henry VIII.'s reign boroughs were expected to pay their own members' expenses. Frugal constituencies occasionally bargained with their would-be representatives, and candidates, stimulated to generous impulses by the idea of imminent election, would agree to defray their own expenses or even to go without wages altogether. Sometimes, too, members appear to have been willing to pay for the privilege of election. In 1571 a certain Thomas Long was returned for the Wiltshire borough of Westbury by the simple process of paying the mayor a sum of £4. Long's unfitness for a seat in Parliament – he was a simple yeoman – became apparent as soon as he entered the House. On being questioned, he admitted having bribed the constituency to elect him, and was at once informed that the House had no further need of his services. The inhabitants of Westbury were fined £20, and the Mayor was compelled to refund his money.<sup>64</sup>

The practice of paying members long continued. In the year 1586 we find the member for Grantham suing the borough for his salary. The House of Commons does not, however, appear to have been anxious to uphold this claim, and requested that it should be withdrawn. By this time, indeed, it had become usual for members to forego the financial advantages of election – though there still remained some notable exceptions who were not satisfied with the honorary rewards attaching to the possession of a seat in Parliament – and in 1677 the Commons repealed the Statute by which wages were paid to members.<sup>65</sup>

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<sup>62</sup> The General Election of 1880 cost £1,700,000. This expenditure was reduced to about a million pounds after the passing of the Corrupt and Illegal Practices Prevention Act and the Redistribution Bill of 1883 and 1885. By the former the expenses in boroughs are limited to £350, if the number of electors does not exceed 2000; and to £380 if it does exceed 2000, with an extra £30 for every further 1000 electors. In counties, where the electors do not exceed 2000, the expenses are limited to £650, and to £710 if they exceed 2000, with an extra £60 for every further 1000 electors. These sums do not include personal expenses up to £100 and the charges of the returning officer.

<sup>63</sup> Hansard, "Debates," vol. 288, p. 1563. (5 June, 1884.) (The phrase was first used in a novel entitled, "Friends of Bohemia, or Phases of London Life," published in 1857, by a Parliamentary writer named E. M. Whitty.)

<sup>64</sup> "Parliamentary History," vol. i. p. 766.

<sup>65</sup> Andrew Marvell continued to receive a salary from Hull until his death in 1678 (see his "Works," vol. ii., xxxv.), and the member

Samuel Pepys deplored the gradual neglect of the old practice requiring constituencies to allow wages to their representatives, whereby, he said, "they chose men that understood their business and would attend it, and they could expect an account from, which now they cannot."<sup>66</sup> But this view was not the popular one, and electors gladly availed themselves of the change in public opinion to discontinue the earlier system. Motions have been brought forward on more than one occasion, "to restore the ancient constitutional custom of payment of members," – notably in 1870 and 1888 – but have always been rejected by a large majority.<sup>67</sup> Nowadays, however, there seems some inclination to revert to the old-fashioned and more expensive method, and within recent years a Liberal Prime Minister has promised to provide payment for members whenever funds for the purpose are available. In other respects the desire of the member of Parliament today would appear to be rather in the direction of relinquishing than of adding to his personal privileges. In the eighteenth century, for example, he would never have dreamt of paying postal fees. Members transmitted their correspondence without charge by the simple process of inscribing their names in one corner of the envelope. The privilege of "franking," as this was called, was afterwards limited by its being required that the date and place of posting should be added in the member's handwriting, and the daily number of free letters was restricted to ten sent and fifteen received. In those free and easy days kind-hearted members would provide their friends with large bundles of franked half-sheets of paper, and the number of persons who paid any postage on their correspondence two hundred years ago must have been very small indeed. In a letter written by Mrs. Delany to a friend in 1749 we find the subject mentioned in a way that shows how universally available had become such opportunities for defrauding the revenue. "I have been so silly as to forget franks," she writes. "I must beg the favour of you to get *a dozen or two* for me from Sir Charles Mordaunt... I don't know," she adds, "but you will find a few of the Duke of Portland's in the drawer with the paper."<sup>68</sup>

By the end of the eighteenth century the improper franking of letters threatened to become a public scandal. Covers were transmitted by the hundred, packed in boxes, the only limit to their distribution being the good nature of members. A London banker once received thirty-three covers containing garden seeds from a Scottish member, and it became apparent to the postal authorities that some effort must be made to put a stop to the practice.<sup>69</sup> This was eventually done in 1840, not without a struggle, and the modern member of Parliament who writes letters to his friends must do so at his own expense. He is still, however, allowed to send a certain number of printed copies of bills to his constituents, free of charge, by writing his name in a corner of the packet.

To-day the privileges of membership are certainly not of a material kind. A few men enter the House of Commons for social purposes, and must be sadly disappointed in the result. The simple letters, "M.P." on a card are indeed no longer, as the author of that entertaining work, "Men and Manners in Parliament," declared them to be thirty years ago, "the surest passport to distinction for mediocrity travelling on the continent."<sup>70</sup> Bitter experience has shattered the simple faith in human nature which was once the chief charm of the Swiss innkeeper. The sight of a British member of Parliament signing a cheque no longer inspires him with confidence. He is only too well aware that among those —

"Types of the elements whose glorious strife  
Form'd this free England, and still guard her life,"

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for Harwich obtained a writ against that borough for his salary in 1681.

<sup>66</sup> "Diary," 30 March, 1668.

<sup>67</sup> Irving's "Annals of Our Time," p. 912. (The majority in 1870 was 187.)

<sup>68</sup> "Autobiography of Mrs. Delany," vol. ii. p. 511.

<sup>69</sup> Wraxall's "Posthumous Memoirs."

<sup>70</sup> p. 270.

there exist a few who are not above leaving their hotel bills permanently unpaid; and this knowledge has endowed him with a caution which is both galling to the sensitive soul of the average M.P. and extremely inconvenient to the tourist who has momentarily mislaid his letter of credit.

If the member cannot now enjoy the unmixed respect of the foreigner, it is equally certain that at home he is no longer looked upon with the veneration with which his predecessors were commonly regarded. His constituents treat him as their servant no less than as their representative. And though he may find some comfort in that definition of a member's duties for which Edmund Burke is responsible – which perhaps cost that statesman his seat at the General Election of 1780 – this will prove but a slight consolation when he is suddenly called upon by his local committee to explain some change of views or to account for constant neglect of his parliamentary duties.

Parliament is not, indeed, as Burke told the electors of Bristol, a congress of ambassadors from different and hostile interests, which interests each must maintain, as an agent and advocate, against other agents and advocates. It is a deliberate assembly of one nation, with one interest, that of the whole; where not local purposes, not local prejudices, ought to guide, but the general good, resulting from the general reason of the whole. "You choose a member indeed," he said; "but when you have chosen him, he is not a member of Bristol, but he is a member of *Parliament*."<sup>71</sup> At the same time a member cannot afford to forget that he owes much to his constituents; his existence in Parliament depends very greatly upon their good pleasure. He must be to a certain extent at their beck and call, willing to subscribe to their local charities, to open their bazaars, visit their hospitals, kick off at their football matches, take the chair at their farmers' dinners or smoking-concerts. He must have a welcome hand ever extended in the direction of the squire, a smile for the licensed victualler, a kindly nod of the head for the meanest elector, and (at election times) a kiss for the humblest voter's stickiest child. When constituents call upon him at the House he must greet them with a display of effusiveness which gives no hint of his annoyance at being interrupted in the middle of important business. They may want to be shown round the House, and such a natural desire on their part must be acquiesced in, though it is not every one who has the courage to escort a band of six hundred constituents round the Chamber, as did a member in 1883. Every morning the postman will bring him – besides that voluminous bundle of parliamentary papers and bluebooks, with the contents of which he is mythically supposed to make himself acquainted – a score of applications of various kinds from his constituents, all of which must be attended to. The day is long past when he can emulate the cavalier methods of Fox who, as Secretary of State for Foreign Affairs, affixed a notice to the door of his office: "No letters received here on Mondays, Tuesdays, Wednesdays, Thursdays, Fridays or Saturdays! and none answered on any day!"<sup>72</sup>

The modern member's duties are by no means confined to the House of Commons, nor are they limited to the duration of the session. Formerly it would never have occurred to a member to make a speech in his constituency, once he was elected; though as a candidate he would of course address the voters, and might even be compelled to attend a banquet or a provincial dance.<sup>73</sup> The idea of paying a visit to the electors of any constituency other than his own would, a century ago, have been considered in the worst possible taste. Nowadays, however, the point of view is changed. No sooner has he completed his share in the arduous work of the session – the long tedious hours of debate, the wearisome attendance on committees, the continual tramping through the division lobbies – and shaken the dust of Westminster from his feet, than he must hasten to the country to give some account of his stewardship, to dazzle his constituents with the oratorical platitudes which have failed

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<sup>71</sup> Speech at Bristol in 1774. ("Works and Correspondence of E. Burke," vol. iii. p. 236). Algernon Sidney anticipated this remark. "It is not therefore for Kent or Sussex, Lewes or Maidstone, but for the whole nation, that the members chosen in those places are sent to serve in Parliament." – "Discourse Concerning Government," vol. ii. p. 370.

<sup>72</sup> Bell's "Biographical Sketches," p. 82.

<sup>73</sup> Croker, in 1820, complains of having to attend a three o'clock dinner and dance at Bodmin, when he stood as candidate; the whole affair being, he says, "at once tiresome and foolish." "Croker Papers," vol. i. p. 166.

to move the more fastidious audience of the House of Commons. He must even be ready to rush off to the assistance of a fellow-member in some distant shire, and purge his bosom of the same perilous stuff upon various platforms all over the country.

Sir Edward Coke declared three hundred years ago that every member of Parliament should in three respects at least resemble the elephant; "first, that he hath no gall; secondly, that he is inflexible, and cannot bow; thirdly, that he is of a most ripe and perfect memory."<sup>74</sup> He might well have added some of the other qualities of that admirable beast – patience, docility, the capacity for hard work, and, above all, a thick skin. Though outwardly inflexible, a modern member must be prepared to bow to the wishes of his party; and in his ripe and perfect memory there should be room for the names and faces of his constituents and their wives. He must be patient when he has failed for the hundredth time to "catch the Speaker's eye"; he must be docile when the Whip urges him to vote in favour of a motion with which he disagrees fundamentally; and if he be of a thin-skinned disposition or of a delicate constitution, the labours of the House of Commons may soon prove too much for him. If he is unambitious and anxious to lead a peaceful life, he will do well to remember the advice given by Ferguson of Pitfour, who summed up his parliamentary experiences, in 1826, as follows: "I was never present at any debate I could avoid, or absent from any division I could get at. I have heard many arguments which convinced my judgment, but never one that influenced my vote. I never voted but once according to my own opinion, and that was the worst vote I ever gave. I found that the only way to be quiet in Parliament was always to vote with the Ministry, and never to take a place."<sup>75</sup>

No doubt the member of Parliament enjoys many privileges which are denied to the mere layman. He is stimulated by the excitement of participating in a perpetual political conflict; he delights in the intellectual pleasure of hearing the most interesting questions of the day debated by the shrewdest men of the age; he is conscious of being in a sense a public benefactor, with a direct (if somewhat slight) influence upon the policy of his country. He is given a front seat in what Mr. Biggar once called the "best theatre in London," and there is always the chance that some day he may himself be cast for a leading part in that great political drama which is performed night after night on the boards of the Theatre Royal, Westminster. Politics – "l'art de mentir à propos," as Voltaire defined them – may have their origin in the perversity rather than in the grandeur of the human soul, but the attraction they exercise over the average Englishman is very great.<sup>76</sup> But for the privileges of a parliamentary career – one of the worthiest to which a patriot can devote himself, in Mr. Balfour's opinion – a heavy price has to be paid, and to the toll of toil and treasure levied by Parliament must be added the sacrifice of independence as well as of time.

In this twentieth century the initiative of the private member has almost disappeared. The Government is alone responsible for legislation; all the most important measures brought in are Government measures. The time of the House is placed, very early in each session, at the disposal of the Government, its business is arranged to suit their convenience, and the private member must be content to make the most of such fragmentary opportunities as are flung to him. He is controlled by his party and by his Whip; he may not leave the House without permission; he must vote at the word of command. At one moment he may be called upon to speak at length upon a subject of which he is sublimely ignorant, in order to allow his party a chance of gathering their forces to meet an unexpected division; at another he is compelled to refrain from good words, though it may be pain and grief to him, in order to save the precious time of the Government. And perhaps he will occasionally be inclined to agree once more with Burke that the same qualifications, nowadays, make a good member of Parliament that formerly made a good monk: "Bene loqui de superiore, legere breviarum

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<sup>74</sup> "Institute of the Laws of England," 4th part, p. 3.

<sup>75</sup> Sir H. C. Robinson's "Diary and Reminiscences," vol. ii. pp. 315-6.

<sup>76</sup> Moore wrote to Lady Donegal in 1807: "I begin at last to find out that *politics* is the only thing minded in this country, and that it is better even to *rebel* against government than have nothing to do with it." "Memoirs," vol. i. p. 225.

taliter qualiter, et sinere res vadere ut vadunt" – to speak well of the minister, read the lesson he sets you, and let the State take care of itself!<sup>77</sup>

Even so, the advantages of membership are not to be despised; and once a man has tasted the sweets of political life, all other professions fade into insignificance. He may have been moved to enter Parliament by some ambitious yearning after fame; he may have been prompted by patriotic motives, or merely the desire to prove himself a useful member of society, his serious opinion being (like that of Buxton, the great opponent of Slavery) that "good woodcock-shooting is a preferable thing to glory."<sup>78</sup> His contributions to debate may be of poor quality, but they will not be altogether valueless, and, after an arduous day in the House, he will listen with a glow of conscious rectitude to the ancient and welcome cry of "Who goes Home?" which rings through the lobbies and announces the close of the sitting.<sup>79</sup> Though he may never, perhaps, wake to find himself famous, he will often sink comfortably to sleep on his return home from the House in the early hours of the morning, soothed by the consciousness of duty done. That in itself is a thing not to be despised, and there may possibly be other benefits in store for him. If he is sufficiently painstaking and intelligent he may perchance have greatness thrust upon him in the form of an under-secretaryship, and, when he has scaled the outer breastworks of that Cabinet zareba to which access is so difficult, the suspicion that he has long cherished of being a heaven-born politician is at length confirmed.

Socrates was right when he said that whereas no man undertook a trade that he had not thoroughly learnt, everybody considered himself sufficiently qualified by nature to undertake the trade of government, probably the most difficult in the world. There are, however, certain disqualifications which prevent the most ambitious man from serving in Parliament.<sup>80</sup>

Infants and minors may not be elected to the House of Commons. But though they have always been excluded by custom or statute, their presence was winked at until the end of the eighteenth century. The members of those bygone times seem generally to have been more youthful than the members of to-day. Even the Chair was occupied by men comparatively young, Seymour, Harley, and Sir Thomas More each being elected Speaker before he had reached the age of forty. The last-named speaks of himself as a "beardless boy resisting greybeards and Kings themselves," referring no doubt to the time when Cardinal Wolsey came to the House of Commons in 1523, to ask for money for his royal master, and he actively opposed the grant.

In Queen Elizabeth's time the Lower Chamber was not weakened by the admission of too many infants; but during the reign of James I. the ancient custom for old men to make laws for young ones seems to have been inverted, there being as many as forty members of Parliament who were minors, and several who were not more than sixteen years old.<sup>81</sup> The poet Waller sat in the Commons before he was seventeen, while Lord Torrington (afterwards Duke of Albemarle) took part in debate when he was only fourteen, and at that age addressed the House in 1667, on the subject of Clarendon's impeachment.<sup>82</sup> The infant members of that day were singularly precocious and well able to look after themselves. When, for instance, some one urged that Lord Falkland was too young to sit in Parliament, as he had not yet sown his wild oats, that young nobleman rudely replied that he could imagine no more suitable place for sowing them than the House of Commons, where there were so many geese to pick them up.<sup>83</sup>

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<sup>77</sup> Prior's "Life of Burke," vol. ii. p. 454.

<sup>78</sup> Buxton's "Memoirs," p. 154.

<sup>79</sup> In olden days members used to return from Westminster to London through lanes infested with robbers. This cry enabled them to assemble and leave the House in one another's company.

<sup>80</sup> It is curious to reflect that a man may be a member of Parliament even though he is not entitled to a vote as an elector. The Rt. Hon. Austen Chamberlain was not only a member, but even a Cabinet Minister, at a time when he had no vote.

<sup>81</sup> Naunton's "Fragmenta Regalia," p. 21.

<sup>82</sup> Shaftesbury's "Life," vol. i. p. 30 n.

<sup>83</sup> Townsend's "History," vol. ii. p. 400.

The Crown saw no disadvantage in having youthful legislators, who could all the more easily be influenced. When Parliament assembled in 1661 and the tender age of many of the members was pointed out to King Charles, he answered that he found no great fault in that, "for he could keep them till they got beards."<sup>84</sup> By the Act of 1695, however, infants were formally excluded from Parliament, but for a long time they continued to sit in the House, though they most probably abstained from voting.

Extreme youth was not considered a bar to parliamentary success in days when it was possible for a politician to become Prime Minister, as Pitt did, at the age of twenty-five, though that statesman's father found it necessary on one occasion to defend himself against the charge of immaturity.<sup>85</sup> Both Fox and Philip Stanhope (afterwards Lord Chesterfield) delivered their maiden speeches a month or so before they came of age,<sup>86</sup> and Lord John Russell was returned to Parliament when he was still a minor.

As the years advanced the House of Commons became more and more particular in this respect, and at the beginning of the nineteenth century an eye-witness was struck by the large proportion of bald-headed men – nearly a third of the whole number – in the Lower Chamber.<sup>87</sup> To-day no one who has not reached the mature age of twenty-one can stand for Parliament, much less sit upon the sacred green benches.

Lunatics and idiots are also disentitled to parliamentary election. A member who goes mad after having taken his seat can only be removed, however, if his case is proved to be a hopeless one, the House being then petitioned to declare the seat vacant, and the Speaker issuing a new writ. In one well-known instance a committee of the House found that a member's lunacy was not so incurable as to justify his removal, and he retained his seat. In 1881 the case of a lunatic recording his vote in a division was the occasion of a painful and futile debate. The member in question suffered from periodical bouts of insanity, and had recently been certified "dangerous" at his own request, in order that he might retire temporarily to an asylum. It was therefore obviously improper for him to vote. The House, however, declined to take any serious notice of the incident, the motion for an inquiry by a Select Committee into the circumstances of the case being negatived, and the matter tactfully allowed to drop.<sup>88</sup>

Aliens cannot sit in Parliament until they have taken the precaution of becoming naturalised British subjects. In William III.'s time all persons born outside the dominions were disqualified, and when the Test and Corporation Acts were repealed in George IV.'s reign, an amendment was inserted by the Bishop of Llandaff in the House of Lords by which Jews were excluded from Parliament. They were finally admitted to the House of Commons in 1858, and during the reign of Queen Victoria naturalisation was held to carry with it full political rights.

English and Scottish peers are incapacitated from serving in the Commons. Irish peers, however, may do so, provided that they are not already sitting as representative peers in the House of Lords.<sup>89</sup> The eldest sons of peers were excluded from the Lower House down to the middle of the sixteenth century, when they were gratefully admitted and given seats of honour on the front bench with the Privy Councillors.

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<sup>84</sup> Reresby's "Memoirs," p. 51.

<sup>85</sup> "Sir," he said in debate, "the atrocious crime of being a young man, which the hon. gentleman (Horace Walpole) has with such decency and spirit charged against me, I shall neither attempt to palliate or deny; but content myself with wishing that I may be one of those whose follies may cease with their youth, and not of that number who are ignorant in spite of experience."

<sup>86</sup> Chesterfield's "Letters," vol. ii. p. 339. In order to escape the fine of £50 °Chesterfield retired from political life for a short time.

<sup>87</sup> Grant's "Recollections," p. 62.

<sup>88</sup> See Hansard, vol. clxii. p. 1941.

<sup>89</sup> When the Lords were temporarily abolished in 1648, peers were elected to the Commons, but only a few seem to have availed themselves of this privilege. Porritt's "Unreformed House of Commons," vol. i. p. 123.

Irishmen enjoy parliamentary privileges not only as peers but also as bankrupts. The occasional combination of the two therefore carries with it some slight compensation. A bankrupt Englishman or Scotsman is disabled from even standing as a candidate for Parliament, whereas his more fortunate Irish brother may be elected. Members of Parliament who become bankrupt after election may continue to sit and vote in the Commons until the Speaker has received official notification of their bankruptcy, or the House has ordered their withdrawal.

The election of clergymen and other ministers was prohibited by an Act of 1801, passed in order to deal with the case of the Rev. J. Horne Tooke, the "Father of Radicalism," who had been elected for Old Sarum. It did not succeed in its object, however, for he continued to sit for the remainder of the Parliament.<sup>90</sup> And by another Act, passed about 1870, any one who has relinquished the office of priest or deacon is eligible for election. Otherwise no minister of the Established Church may sit in Parliament.

Many other persons are similarly debarred, among whom may be mentioned the holders of offices under the Crown created since 1705, Crown pensioners (exclusive of civil servants and diplomats), and Government contractors. Persons guilty of treason or felony (who have neither served their sentence nor been pardoned), or of corrupt practices at elections are likewise disqualified,<sup>91</sup> as are also those who are unable to take the Oath of Allegiance or to affirm. There are, besides, a number of officials connected with the administration of justice, or concerned with the collection of the Revenue, or representatives of the Crown – judges, colonial governors, etc. – who are incapacitated by their positions from sitting in the House of Commons.

At one period of parliamentary history lawyers were excluded from the House of Commons, enactments in favour of keeping out "gentlemen of the long robe" being passed in Edward III.'s time. They were always unpopular members, it being supposed that they only entered Parliament as a stepping-stone to wider practice at the Bar or to some sort of Government employment. The legal profession was looked upon as one into which no one entered without views of self-aggrandisement, and the use of a seat in Parliament as a means of advertising oneself did not appeal to the country at large.<sup>92</sup> Lawyers are allowed to sit in the House to-day, but they may not practise as counsel before Parliamentary Committees, nor even advise professionally upon any private Bill.

Having successfully eluded all these disqualifications, paid a large sum for the privilege of serving his country, talked himself hoarse on the platforms of his constituency, and finally been returned in triumph to the House of Commons, the private member may consider himself safely launched upon the parliamentary sea. It now remains to be seen whether or not political life comes up to his expectations. If he is energetic, ambitious, and eloquent he will find free scope for his talents on the green benches at Westminster. He will be given a chance of proving his worth upon Select Committees. Here he can serve his apprenticeship in preparation for that glorious day when he may be inspired to thrill and enrapture a delighted assembly with such an outburst of oratory as shall at once establish his claim to the consideration of his party. Then indeed does Fortune seem ready to smile upon the embryo statesman. In imagination he sees himself lounging upon the Treasury bench, his feet cocked up against the historic Table, while he writes a report of the debate for the edification of his Sovereign. To the political enthusiast the prospect is a rosy one. But alas! it is not every man who can aspire to the giddy heights of the front bench. After many a session of laborious days and sleepless nights, after many a recess devoted to the tiresome art known as "nursing" his constituency, after many

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<sup>90</sup> Horne Tooke was a man of strength and determination. Upon all great public questions, as he once declared, "neither friends nor foes, nor life nor death, nor thunder nor lightning, would ever make him give way the breadth of one hair." When Lord Temple claimed a superior right to sit in Parliament because he had "a stake in the country," "So have I," said Tooke, "but it was not stolen from a public hedge!"

<sup>91</sup> In 1558 it was voted by a small majority that one outlawed or guilty of various frauds might sit in the House if duly elected, his crimes being apparently purged by virtue of his election. See Raikes's "English Constitution," vol. i. p. 323.

<sup>92</sup> See the "Black Book," p. 61.

disappointments and trials, our member may still find himself at the bottom of the parliamentary ladder. Even if he ascends to what Mr. Gladstone would have called "measurable distance" of the top, his tenure is precarious; in the defeat of a Government at a General Election he too may fall. And though his constituents remain loyal and his seat secure, there arrives a day when he begins to weary of the slavery of parliamentary life, of the drudgery of a political career. Like Macaulay, he may at length come to define politics as a pursuit from which the most that those who are engaged in it can expect is that by relinquishing liberal studies and social pleasures, by passing nights without sleep and summers without one glimpse of the beauty of nature, they may attain "that laborious, that invidious, that closely watched slavery which is mocked with the name of power."<sup>93</sup> When this tragic moment arrives, or when through physical infirmity, advancing years, or penury, he wishes to bid a long farewell to the scene of his parliamentary labours, he has still a minor obstacle to contend with.

A member cannot resign his seat, nor is it permissible for him to exchange it for any other. Only his own death or the dissolution of Parliament can enable him to cease from being a member, unless the House itself declares his seat to be vacant. Even expulsion from the House does not prevent his immediate re-election by a constituency determined to retain his services, as was shown in the case of Walpole – twice expelled from the House, and re-elected by the voters of Lynn – and of Wilkes and Bradlaugh. The only thing that can prevent a man from sitting in the House, or allow a member to escape from its service, is the fact of his coming within the range of that long list of disqualifications already enumerated.

How then can a member vacate his seat in the simplest fashion? Many members would think twice before becoming bankrupt or committing a felony in order to avoid parliamentary duty. It is not given to every one to be a Colonial Governor, an Auditor General, or even a Charity Commissioner. But, by the merciful connivance of the powers that be, it is always possible for a member to incapacitate himself by holding a Crown appointment. For this beneficent purpose two ancient stewardships of a purely nominal value are upheld, that by accepting either of these offices a member may be enabled to retire gracefully from Parliament.

The steward or bailiff of the three Chiltern Hundreds of Stoke, Desborough and Boneham, and the steward of Northstead, were officers appointed by the Crown in past ages to look after certain Buckinghamshire forests in which brigands abounded. The brigands are long since dead, and the forests themselves have been converted into parks and pasture lands, but the stewardships remain, a convenient city of refuge for members who desire to escape from the active strife of Parliament, to whom they are sometimes presented as often as nine times in one session. "The parliamentary constitution of England," said Disraeli, "was born in the bosom of the Chiltern Hills; as to this day our parliamentary career is terminated among its Hundreds."<sup>94</sup> And since no county is fraught with greater historical and political interest than Buckinghamshire, it is perhaps fitting that it should be the means of providing a merciful release for the jaded parliamentarian whose course is run.

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<sup>93</sup> "Edinburgh Review" (October, 1838), vol. lxxviii. p. 114. The two happiest days of a statesman's life are said to be the day when he accepts high office and the day when he resigns it (Campbell's "Lives of the Chancellors," vol. i. p. 561). Lord Rosebery defined the acceptance and resignation of office as "the two supreme pleasures – one ideal, the other real."

<sup>94</sup> Speech made to the farmers at Amersham Market, 1847.

## CHAPTER IV

# THE PALACE OF WESTMINSTER

Parliament may be summoned to assemble wherever the king pleases. Westminster, the site of that royal palace which has sheltered so many English sovereigns, from King Canute to Henry VIII., was for centuries the most natural meeting-place for the Great Council of the nation. But many another town, such as Winchester, Bury St. Edmunds, Leicester, Coventry, Reading, Salisbury, and half a dozen more, has at different times been selected as the temporary seat of Parliament, either to suit the royal convenience, or for other reasons.

Of the twenty Parliaments of Edward II. one met at Ripon, one at Northampton, and three at York and Lincoln. In Stuart days Oxford was the place chosen on two occasions, in 1625 and in 1665, when London was being ravaged by the Plague. Since the Revolution of 1668, however, Parliament has ceased to be nomadic in its habits; in its old age it has definitely settled down at Westminster, and there it is likely to remain.

The palace in which Canute first resided, within a stone's throw of the Thames, was burnt to the ground somewhere about the year 1040. Edward the Confessor rebuilt it ten years later, and in the days of William Rufus the addition of the Great Hall further enhanced the dignity of the palace. Here William held his first court, on his return from Normandy, and since his day a succession of kings have made it the centre of innumerable scenes of royal pomp and pageantry.

William Rufus was a man of large ideas. Even the magnificence of the Great Hall did not entirely satisfy his taste for grandeur. In his imagination he had conceived a still more splendid scheme of architecture, and was disappointed with the size of the new building. On first entering to inspect it, accompanied by a large military retinue, he overheard some tactless persons remark that, in their opinion, the Hall was far too large. With a scornful look the King reduced these critics to silence, explaining that, so far from this being the case, the Hall was not half large enough, being, in fact, but a bed-chamber in comparison with the building of which he intended it to form part.<sup>95</sup>

By the end of the fourteenth century Westminster Hall had fallen into disrepair, and during the reign of Richard II., when the poet Chaucer was clerk of the works, it was rebuilt, the expense being met by a tax levied upon all foreigners in the kingdom. Richard celebrated the event by keeping Christmas there in a suitably seasonable fashion, "with daily justings and runnings at tilt; whereunto resorted such a number of people that there was every day spent twenty-eight or twenty-six oxen, and three hundred sheep, besides fowl without number."<sup>96</sup>

Prior to the days when such feats of engineering as the building of the modern Thames Embankment were possible, the proximity of the Palace to the river necessitated a system of constant repair. Until confined within reasonable limits, the Thames showed a disposition to overflow its banks upon the slightest provocation, much to the inconvenience of the royal residents in the neighbourhood. In 1236 the Palace was completely flooded, so that "men did row with wherries in the midst of it," and six years later a similar fate befell Westminster Hall. In 1579 the river once more trespassed upon the royal domain, fish being afterwards found in a moribund condition on the floor of the Great Hall. The latter, indeed, continued to be visited by periodical floods as late as the year 1841.

Fire, too, seems to have proved a constant menace to the safety of the palace, though at the time of the Fire of London the Great Hall was one of the few places in which citizens could store their goods out of harm's way. In 1299 part of the palace was burnt to the ground, and at the beginning of the sixteenth century so great a proportion of it fell a prey to a "vehement conflagration" that

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<sup>95</sup> Knight's "London," vol. vi. p. 135.

<sup>96</sup> Stow's "A Survey of London," p. 173.

Henry VIII. decided to forsake it altogether, and removed his court to Whitehall. Since that day royal personages have ceased to lodge at the Palace of Westminster, which is still, however, nominally a royal residence, and as such remains in the custody of an officer of the King's household.<sup>97</sup>

The Great Hall still continued to be used as the most appropriate stage for State ceremonies, for coronations and the banquets with which such events were celebrated. It was also the scene of most of the great State trials famous in English history. Such men as William Wallace, the Earls of Arundel, of Essex, and of Strafford, were here arraigned upon a charge of high treason; here Charles I. was condemned to death. In Westminster Hall Titus Oates was stripped of his ecclesiastical habit and exposed to public obloquy, with a placard upon his breast declaring his offence. Beneath this wide oak roof the Duchess of Kingston was tried for bigamy, much to her delight. Here, too, Warren Hastings faced his accusers, and triumphed over them. This is the Hall, as Macaulay says in a well-known passage, which witnessed the just sentence of Bacon and the just absolution of Somers; the Hall where the eloquence of the latter for a moment awed and melted a victorious party inflamed with just resentment. This, we may now add, is the Hall where the body of Gladstone lay in state, and the mortal remains of King Edward VII. received the homage of his sorrowing subjects.

No State trial has been held in Westminster Hall since Lord Melville was acquitted there in 1806, and on the only recent occasion on which a member of the House of Lords was tried by his peers, on July 18, 1901, the Royal Gallery of the Lords was fitted up as a court.

For centuries the coronation feasts, which were held in Westminster Hall, provided the public with a stately and imposing spectacle. Not the least interesting part of the ceremony consisted in the entrance of the King's Champion, clad in armour and mounted upon a fiery charger, who flung down his gauntlet and challenged to mortal combat all who dared to question the monarch's right to the throne. The feat required some personal courage, as well as the possession of a docile steed, for if it were not accomplished successfully the effect might well be ludicrous. Before the coronation of George III., Horace Walpole relates, Lord Talbot had spent much care in training his charger to walk backwards, so that it might make a graceful exit from the Hall without ever exposing its tail to the royal gaze. Unfortunately, the lesson had been too well learnt, and the horse insisted upon entering the Hall backwards, much to the amusement of the spectators.

Sovereigns are no longer crowned in Westminster Hall, but in the Abbey close by, and no coronation feast has been held there since the accession of George IV., when the guests repaid their sovereign's hospitality by carrying away most of his spoons as souvenirs of the event. The Hall has, however, been the scene of other less-important banquets, as, for instance, in 1905, when the officers of the visiting French fleet were entertained there as the guests of the British nation.

To Westminster Hall, Henry II. summoned his Barons in Council, and in the reign of Henry III. parliaments were often held there. Gradually, however, the building became devoted exclusively to the judicial side of the king's Great Council, and, when Edward I. occupied the throne of England, the

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<sup>97</sup> The Lord Great Chamberlain, who holds an hereditary freehold office of state, is the custodian of the Palace of Westminster. He was originally an executive officer of the King's household, appointed to look after the royal residence. In 1133 the office was granted by Henry I. to Aubrey de Vere, father of the first Earl of Oxford, and to his heirs. Henry VIII. gave the post on several occasions for life to different favourites, not necessarily of the De Vere family, but since the time of Elizabeth the Lord Great Chamberlainship has been held without exception by descendants of the Earl of Oxford. To-day the families of Cholmondeley on the one side, and Ancaster and Carrington on the other, share the privileges of the office, a representative of each branch holding the Chamberlainship in turn during the lifetime of alternate sovereigns. The Lord Great Chamberlain retains authority over the buildings of both Houses, even during the session, whenever Parliament is not sitting. Here his official responsibilities end. In former times a considerable part of his duties consisted in attending his sovereign at the Coronation, when he was not only expected to dress the King, to "carry the coif, swords, and gloves, etc."; but also to undress him, and to wait on him at dinner, "having for his fee the King's bed and all the furniture of his chamber, the night apparel and the silver basin wherein the King washes, with the towels." It is traditional that if the King sleeps at Westminster he must occupy the Lord Great Chamberlain's house. George IV. did so on the eve of his Coronation, the Speaker of the House of Commons handing over his residence for the purpose to the Lord Great Chamberlain for a nominal fee. On this occasion the officials in waiting on His Majesty spent a restless night. Lord Gwydyr, the Deputy Lord Great Chamberlain, and his secretary, took their stand on one side of the King's chamber, and the Gentleman Usher of the Black Rod on the other, and there they remained until morning. (See "The Gentleman's Magazine." July, 1821.)

Courts of King's Bench and Chancery held their meetings regularly at the south end of the Hall. Peter the Great, during a brief stay in England, paid a visit to Westminster Hall, and was much struck by the presence of a number of busy people in long black gowns and bobtailed wigs. On being informed that these were lawyers, "I have but two in my dominions," he observed thoughtfully, "and I believe I shall hang one of those directly I get home!"

New buildings were erected in 1738, on the west side of the Hall, to accommodate the judges, and when, about a hundred and fifty years later, the Palace of Justice was built in the Strand, the representatives of the law emigrated thither in a body.

The general public for a long time shared with the lawyers the privilege of trading within the precincts of Westminster Hall. In Edward III.'s reign merchants' stalls abounded there, being temporarily boarded over on the occasion of State pageants, and, at a much later date, Laud tells us in his diary, a conflagration in one of these shops threatened to destroy the entire building.

During the seventeenth century, book-sellers, law-stationers, and other tradesmen still plied their callings in the Hall, undisturbed by the pleadings of their legal rivals.<sup>98</sup> On the one side, as we read in a contemporary chronicle, were to be seen "Men with Baubles and Toys, and on the other taken up with the Fear of Judgment, on which depends their inevitable Destiny. On your Left Hand you hear a nimble Tongu'd *Sempstress*, with her Charming Treble, Invite you to buy some of her Knick-Knacks: And on your Right, a Deep-mouth'd Cryar commanding Impossibilities, viz. Silence to be kept among Women and Lawyers."<sup>99</sup> In the days of Pepys, the Great Hall had become a regular meeting-place for the public, and was still the most popular market for the sale of books.<sup>100</sup>

Trade has long been banished from the portals of Westminster Hall, its stately precincts are now desecrated by no foot less worthy than that of the Member of Parliament or the Saturday sight-seer. In other respects the Hall remains unchanged. Save for the retimbering of the roof in 1820 with oak taken from old men-of-war, it stands to-day much as it has stood for centuries. Structural alterations have occasionally been suggested, but without effect. One projected by Lord Grenville, necessitating the removal and raising of the entire roof, evoked many indignant protests.<sup>101</sup>

In New Palace Yard, opposite the entrance of Westminster Hall, a huge clock-tower once stood. It had been erected in the reign of Edward I., the cost being defrayed by a fine levied on Sir Ralph de Hengham, Chief Justice of the King's Bench, as a penalty for altering a judicial record in favour of a pauper litigant. In this tower hung a bell, known as "Great Tom of Westminster," whose voice on a clear day could be heard as far away as Windsor.<sup>102</sup> In 1707 both tower and bell were pulled down, the latter being recast and presented to St Paul's Cathedral where it still hangs.

Near the tower was a fountain from which on great occasions wine was made to flow for the delectation of the populace, while close by stood the pillory in which Titus Oates, John Williams, the publisher of John Wilkes's *North Briton*, and many other offenders against parliamentary privilege, suffered the penalty of their crimes.

Westminster Hall lies nearly due north and south. At its south-east angle, stretching towards the river, stands St. Stephen's Hall, on the site of that famous Chapel, founded by King Stephen and called after his sainted namesake, which was for so long the home of the Commons.

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<sup>98</sup> Forster's "Grand Remonstrance," p. 276, note.

<sup>99</sup> Brown's "Amusements," pp. 39-40.

<sup>100</sup> "At Westminster Hall, where Mrs. Lane and the rest of the maids had their white scarfs, all having been at the burial of a young bookseller in the Hall," "Pepys' Diary," 20 January, 1659.

<sup>101</sup> "With cedar roof, and stony wall, Old William Rufus built this hall; Without a roof, with scarce a wall, William Unroof-us spoils it all." Hawkins's "Biographical Sketches," vol. i. p. 341.

<sup>102</sup> There is a well-known story of a sentry at the Castle who was accused of sleeping at his post, and secured his acquittal by proving that he had heard "Great Tom" strike thirteen times at midnight – a fact which was corroborated by the evidence of independent witnesses.

The Chapel was partly destroyed by fire in 1298, but was subsequently restored at great cost by Edward III., who also built an adjacent belfry of stone and timber containing three huge bells which were rung at "coronations, triumphs, funerals of princes, and their obits."<sup>103</sup> After the Reformation the thirteenth century decorations which originally adorned the walls of St. Stephen's Chapel were whitewashed and covered with boards, and the building was given over to Parliament.

Though the Three Estates originally sat together, they seem to have deliberated separately. Parliament used to meet occasionally in the Priory Church of Blackfriars Monastery, but when the Houses parted company a chamber in the Palace of Westminster was reserved for the Lords, while the Commons retired to the Chapter House of the Abbey. Later on they assembled in or near Westminster Hall – Richard II. held a parliament in a building erected for the purpose outside the Great Hall – and finally, about the year 1550, St. Stephen's Chapel was fixed upon as the regular meeting-place of the Commons.

The Chapel was an oblong building, but half as long and half as broad as Westminster Hall, and most of the floor space was occupied by the Lobby. It was a gloomy and narrow chamber, and what the German traveller Moritz calls "mean-looking." At the western end was a gallery to which members ascended by means of a ladder near the southern window.<sup>104</sup> At the eastern end stood the Speaker's chair, and opposite it the famous bar where so many persons have stood, either as prisoners, witnesses, or patriots. Here Pepys, buoyed up with brandy, appeared to answer the charges that had been brought against the Navy Office in 1667-8. Here, a century and a half later, Mrs. Clarke, the Duke of York's discarded mistress, was examined for two hours on the subject of his alleged corrupt sale of commissions – an ordeal from which she emerged triumphantly. At this bar victorious soldiers, from the days of Schomberg to those of Wellington, have received the thanks of Parliament for the services they rendered to their country. And many a trembling prisoner has stood here to receive sentence or reprimand at the mouth of the Speaker.

On either side of the old House were ranged rows of wooden benches, hard and comfortless, with neither backs nor covering. Not even were Ministers provided with padded seats.

"No satin covering decks th' unsightly boards;  
No velvet cushion holds the youthful Lords;  
And claim illustrious tails such small regard?  
Ah! Tails too tender for a seat so hard!"<sup>105</sup>

St Stephen's Chapel was in size quite inadequate to the needs of legislators – the only point, perhaps, in which it resembled the present House of Commons. David Hume complained perpetually of the lack of room; while Cobbett cynically referred to it as "the little hole into which we are all crammed to make the laws by which this great kingdom is governed."<sup>106</sup> Lined with dark wainscot and lit by three chandeliers, the gloomy chamber did not impress the stranger with the dignity or splendour of parliaments, and a visitor to St Stephen's might well have been excused for mistaking the House of Commons for a den of thieves or a crew of midnight conspirators.<sup>107</sup>

As was only natural, the dingy surroundings exercised a detrimental influence upon the manners of members. Moritz was surprised to see many of them lying stretched out at full length on the uncomfortable benches fast asleep, while others cracked nuts or ate oranges. "The many rude things

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<sup>103</sup> These bells must have been extremely unpopular, since it was fabled that their ringing "soured all the drink in the town." Stow's "Survey of London," p. 175.

<sup>104</sup> Speaker Lenthall once rebuked a youthful member who was sitting perched upon the topmost rung, listening to a debate, and bade him come down and not "sit upon the ladder as though he were going to be hanged." Forster's "Historical Sketches," vol. i. p. 82.

<sup>105</sup> "The Rolliad."

<sup>106</sup> Dalling's "Historical Characters," vol. ii. p. 175.

<sup>107</sup> Knight's "London," vol. ii. p. 68.

the members said to one another," he observes sadly, "struck me much."<sup>108</sup> Not only was the House squalid and dirty, it was also infested with rats. Speaker Manners Sutton told Thomas Moore that the only time he had ever laughed while occupying the Chair was during a debate in which members of the Opposition had been squabbling fiercely together, when he saw a large rat issue from beneath the front Opposition bench and walk deliberately across to the Treasury side of the House.<sup>109</sup>

The Lobby of St Stephen's was, if possible, the scene of even greater discomfort and squalor than was the House itself. It was perpetually crowded, not only with members and their servants, but also with the general public, and was "as noisy as a Jews' synagogue." Pearson, for many years head doorkeeper of the Commons, tells us that orange women traded there regularly, selling their wares to thirsty politicians during the sitting of the House. One old woman named Drybutter was a great favourite among a certain class of members, and knew more of their private affairs (we are told) than "all the old bawds in Christendom put together."<sup>110</sup> Another, Mullins by name, "a young, plump, crummy, rosy looking wench, with clean white silk stockings, Turkey leather shoes, pink silk *short* petticoat, to show her ankle to the young bulls and old goats of the House," appealed especially to the more amorous members.

"Mark how her winning smiles and 'witching eyes  
On yonder unfledg'd orator she tries!  
Mark with what grace she offers to his hand  
The tempting orange, pride of China's land!"<sup>111</sup>

She was said to have killed more men with her eyes and sighs than did many a general with his canister and grape-shot in the American war. Oranges and biscuits were not, as may be imagined, this fascinating creature's sole stock in trade.

In Stuart days the walls of St Stephen's Chapel were temporarily brightened by the presence of the tapestry which Charles II. hung there. This, however, was taken down in 1706. About a hundred years later, when alterations were being made to provide accommodation for the recently added Irish members, the old thirteenth-century mural paintings were discovered beneath the wainscot. No one, however, seems to have realised their value, and they were carelessly allowed to perish, sharing the fate that befell the curious old tapestries which once adorned the walls of the famous Painted Chamber.

This Painted Chamber, which lay between the two Houses of Parliament, was the original Council Chamber of the Norman kings. Here parliaments were opened, and conferences of both Houses held. Its walls were hung with tapestry on which were depicted various scenes from the Siege of Troy. This was removed at the commencement of the nineteenth century and thrown into a cellar, being subsequently sold in 1820 for the paltry sum of £10, and beneath it was found the series of paintings – representing the Wars of the Maccabees and scenes from the life of Edward the Confessor – from which the Chamber derived its name. It was in this apartment that the death warrant of Charles I. was signed, when Oliver Cromwell and Henry Martin distinguished themselves by childishly blacking one another's faces with ink. Here Charles II. lay in state after his death, as did also Chatham and William Pitt.

Adjoining the Painted Chamber was the room in which the Peers formerly met and sat, and which may therefore be styled the old House of Lords. The Prince's Chamber, afterwards the Robing Room of the Lords, was decorated with elaborate tapestries, of Dutch workmanship, representing the destruction of the Spanish Armada, which had been presented to Queen Elizabeth by the States

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<sup>108</sup> Pinkerton's "Voyages," vol. ii. p. 508.

<sup>109</sup> Moore's "Memoirs," vol. iv. p. 320.

<sup>110</sup> Pearson's "Political Dictionary," p. 37.

<sup>111</sup> "The Rolliad."

of Holland, and subsequently sold by Lord Howard to James I. These tapestries were afterwards transferred to the Court of Requests, and, when the greater part of the Palace of Westminster was destroyed by fire in October, 1834, perished in the flames.

It was proposed, in 1834, to find temporary quarters for the Court of Bankruptcy in the old tally-room of the exchequer. For this purpose it became necessary to remove several cartloads of old "tallies" which had accumulated during past years and were likely to interfere with the arrangements. These tallies were nothing but pieces of wood on which were recorded by a primitive method of notches the sums paid into the exchequer. The system dated from the Conquest and, though it had been officially abolished in 1783, was still in use as late as 1826. Old tallies were usually burnt on bonfires in Tothill fields or in Palace Yard, but in 1834 some official of an economical turn of mind decided to make use of them as fuel for the stoves of the House of Lords. The workmen engaged upon the work shared with all honest British labourers the desire to finish their job as quickly as possible and get home to their tea. They consequently piled the tallies into the stoves with more energy than discretion, little dreaming of the possible effect upon the overheated furnaces.

At four o'clock in the afternoon of the 16th of October, some visitors who were being shown round the House of Lords observed that the floor was very hot under their feet, and that the Chamber seemed to be half filled with smoke. They were reassured by the officials, and no further notice was taken of their remarks. Two hours later the tallies had done their work, the flues were red-hot, one of the walls was well alight, and flames were seen to be issuing from the windows of the House. The alarm was immediately given. Fire-engines were hastily summoned to the scene, and police and troops assembled in force in Palace Yard.

The appliances for coping with any but the mildest of conflagrations were then altogether inadequate, and it soon became evident that most of the Palace was doomed. Vast crowds had meanwhile gathered to witness the destruction of the parliament building, while peers and members hastened to Westminster to assist in the work of salvage. Hume, who had so often tried to obtain for the Commons a Chamber more suitable to their needs, was one of the first to arrive, and did yeoman service in saving the contents of the House of Commons Library.<sup>112</sup> He was chaffingly accused of being the author of the fire, and, as the ancient home of the Commons rose in smoke to the sky, his friends declared that his motion for a new House was being "carried without a division." Lord Althorp, another interested spectator, cared even less for the preservation of St. Stephen's Chapel than did Hume. "D – the House of Commons!" he cried, "Save, oh, save the Hall!"<sup>113</sup> His wish was gratified, and Westminster Hall, together with the old House of Lords and the Painted Chamber, was among the few buildings snatched from the flames. St. Stephen's Crypt, situated underneath the old House of Commons, survived not only the fire, but also the subsequent rebuilding.

When the flames had at last been extinguished, or had died down from sheer lack of fuel, and the extent of the damage had been ascertained, Parliament assembled once more – the Lords in what remained of their library, the Commons in one of the surviving committee rooms. It was then decided temporarily to fit up the old House of Lords for the use of the Commons, and to relegate the Peers to the Painted Chamber, until steps could be taken to provide the Great Council of the nation with a more suitable home.

In the following year, British architects were invited to submit designs for the new Houses of Parliament, which it was proposed to erect on the site of the old Palace of Westminster, and, in 1836, the design of Charles Barry was selected from some ninety-seven others. With as little delay as possible the work was put into the hands of the successful competitor, and on April, 27, 1840, the first stone was laid without ceremony by the architect's wife.

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<sup>112</sup> A comparatively modern institution which did not exist until the year 1818.

<sup>113</sup> Miss Martineau's "History of the Peace," vol. iii. p. 147.

From that moment until the completion of the building, poor Barry's life was made a burden to him by the continual petty interference of the authorities. Perpetual squabbles arose between the architect and the superintending officials over every point of the construction – even the contract for the manufacture of the clock gave rise to an acrimonious controversy – while the question of expense was a never ending source of worry and difficulty.

Barry's original design had included the enclosing of New Palace Yard, and the building of a huge gate-tower at the angles. He had also proposed to make Victoria Tower the chief feature of a big quadrangle, whence a splendid processional approach should extend to Buckingham Palace. The cost of such a scheme, however, precluded its execution, and the architect had to content himself with the present magnificent group of buildings, too well known to require detailed description, which form the best possible memorial to Sir Charles Barry's genius.<sup>114</sup>

In 1852 Queen Victoria entered the new Houses of Parliament for the first time, and some eight years later the whole building was completed.

The fire of 1834 proved a blessing in disguise. The ancient congeries of huddled buildings, to which additions had been made in various styles by so many kings, and which went by the name of the Palace of Westminster, had long ceased to provide a suitable home for the Mother of Parliaments. From the ashes of the royal residence arose at length a structure worthy to rank with any legislative building in the world, and adequate to the requirements of that national council which controls the destiny of the British Empire.

Towering above both Houses stands the lofty clock-tower which is one of the landmarks of the metropolis. From its summit "Big Ben" – the successor to "Great Tom of Westminster" – booms forth the hours, while still higher burns that nightly light which shows to a sleeping city that the faithful Commons remain vigilant and at work.<sup>115</sup>

The new Upper Chamber, with its harmonious decorations of gilt and stained glass, its crimson benches, and its atmosphere of dignity and repose, supplies a perfect stage for the leisurely deliberations of our hereditary legislators, and forms a becoming background for such picturesque pageants as the Opening of Parliament.

The present House of Commons, though too small to accommodate a full assemblage of its members, makes up in comfort for what it may lack in space. The Chamber is illuminated by a strong light from the glass roof above; the green benches are cushioned and comfortable. At one end is the Speaker's chair, and in front of it the table – that "substantial piece of furniture," as Disraeli called it, when he thanked Providence that its bulk was interposed between Mr. Gladstone and himself – upon which Sir Robert Peel used to strike resonant blows at regular two-minute intervals during his speeches. On this table lies the heavy despatch-box which countless Premiers have thumped, and which still bears the impress of Gladstone's signet ring. Here, too, reposes the mace, that ancient symbol of the royal authority.

The mace is, perhaps, the most important article of furniture – if it can be so described – in the House. Its absence or loss is an even more appalling catastrophe than would be the absence of the Speaker. It is possible to provide a substitute for the latter, but there is no deputy-mace, and without it the House cannot be held to be properly constituted. The present mace is engraved with the initials "C. R." and the royal arms, and is the one that was made at the Restoration, to replace Cromwell's "bauble," which disappeared with the Crown plate in 1649. It is kept at the Tower of London when the House is not sitting, and the fact that its absence prevents the conduct of any business has been, on

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<sup>114</sup> Barry was assisted in his work by another well-known artist, Augustus Welby Pugin. The latter's son afterwards claimed for his father the honour of being the real designer of the Houses of Parliament, but his efforts to wrest the laurels from Barry's brow met with little success.

<sup>115</sup> Big Ben was so named after Sir Benjamin Hall, First Commissioner of Works. The light is extinguished by an official in the House of Commons by means of an electric switch, the moment the Speaker's question "that the House do now adjourn" has been agreed to.

one occasion at least, the cause of grave inconvenience. In the middle of the last century Parliament adjourned for the day in order to attend a great naval review at Spithead, and was timed to meet again at 10 p.m. The special return-train containing members of the House of Commons was run in two portions, and the official who held the key of the mace-cupboard happened to be travelling in the second. As this was an hour late in arriving, the House had to postpone its meeting until eleven at night.<sup>116</sup>

Upon the position of the mace a great deal depends. When the mace lies *upon* the table, says Hatsell, the House is a House; "when *under*, it is a Committee. When *out* of the House, no business can be done; when *from* the table and upon the Sergeant's shoulder, the Speaker alone manages." On the famous occasion in 1626, when Sir John Eliot offered a remonstrance against "tonnage and poundage," when Speaker Finch refused to put the question, and the House almost came to blows, Sergeant-at-Arms Edward Grimston tried to close the sitting by removing the mace. At once a fiery member, Sir Miles Hobart, seized it from him, replaced it on the table, locked the door of the House, and put the key in his pocket, thus excluding Black Rod, who was on his way to the Commons with a message from the king.

The Sergeant-at-Arms is custodian of the mace. Attired in his tight-fitting black coat, knee-breeches, and buckled shoes, with his sword at his side, he carries it ceremoniously upon his shoulder whenever he accompanies the Speaker in or out of the Chamber. He is also, as we shall see, responsible for the maintenance of order within the precincts of the House, and is provided with a chair near the Bar, whence he can obtain a good view of the whole Chamber.

The arrangements made for the convenience and personal comfort of a modern legislator are of the most elaborate and thoughtful kind. Members of the Government, Whips, and the Leader of the Opposition are provided with private rooms in which to do their work. The needs of humbler politicians are no less carefully considered. By means of an intricate system of ventilation the atmosphere of both Houses is maintained at an equable temperature, summer and winter. The very air inhaled by our politicians is so cleansed and rarefied by a system of water-sprays, of cotton-wool screens and ice-chambers, that it reaches their lungs in a filtered condition, free from all those impurities of dust and fog which are part of the less-favoured Londoner's daily pabulum.

The statesman who seeks a momentary relaxation from the arduous duties of the Chamber can find repose in comfortable smoking-rooms where easy-chairs abound. He may stroll upon the Terrace in the cool of the evening, enjoying the society of such lady friends as he may have invited to tea, and watching the stately procession of barges and steamers that flows by him. (Occasionally the barges are loaded with unsavoury refuse, of which his scandalized nostrils are made unpleasantly aware. Sometimes, too, some wag in a passing excursion-boat facetiously bids him return to his work in the House.) Heated by an unusually warm debate, or tired out by a lengthy sitting, he may retire to spend a pleasant half-hour in luxurious bathrooms, whence division bells summon him in vain. His intellectual wants are ministered to in well-furnished libraries, whose courteous custodians are ever ready to impart information, to look up parliamentary precedents, and otherwise to add to his store of knowledge. His inner man is generously catered for by a Kitchen Committee, composed of the gourmets of the House, who choose his wine and cigars, and watch over the cooking of his food with a vigilant and fastidious eye. His meals are appetising and at the same time inexpensive, and, as he sits in the spacious dining-rooms set apart for his use, his mind may travel back with kindly scorn to the days when his political ancestors drank their cups of soup at Alice's coffee-house, munched the homely fare supplied in Bellamy's kitchen, or satisfied their hunger in even simpler fashion on the benches of the House itself. Lord Morpeth, who was a Minister of the Crown in 1840, used always to suck oranges on the Treasury bench during the course of his own speeches. Fox ate innumerable dry biscuits on the hottest nights. David Hume, whose devotion to duty prevented him from leaving his

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<sup>116</sup> Mowbray's "Seventy Years at Westminster," p. 90.

seat in the Chamber, was in the habit of providing himself with a generous supply of pears, which he consumed while his less conscientious colleagues were slaking their thirst in Bellamy's finest port.<sup>117</sup> During a twenty-one hours' sitting in August, 1880, a member (Mr. A. M. Sullivan) brought a large bag of buns into the House, and enjoyed what Mr. Labouchère called "a palpable supper."<sup>118</sup> The sight of a member of Parliament enjoying an *al fresco* meal under the eye of the Speaker would today arouse indignant shouts of "Order!" Even the simple sandwich is taboo in the Chamber of either House, and nothing more solid or more potent than a glass of pure well-water, or perhaps an egg-flip, can be partaken of during debate.

Could Pitt return to the scene of his former triumphs, he would indeed marvel at the splendours of the modern parliamentary restaurant – Pitt, whose thoughts even upon his deathbed are said to have reverted lovingly to the delights of the old House of Commons kitchen. "I think I could eat one of Bellamy's pork pies" were the great statesman's last words as he expired at Putney in January, 1806, and it was no doubt at Bellamy's humble board that he drank many a bottle of that wine for which he entertained so strong a predilection.

Pearson, the famous doorkeeper of the House of Commons, has described Bellamy's as "a damn'd good house, upstairs, where I have drank many a pipe of red port. Here the members, who cannot say more than 'Yes' or 'No' below, can speechify for hours to Mother Bellamy about beef-steaks and pork-chops. Sir Watkin Lewes always dresses them there himself; and I'll be curst if he ben't a choice hand at a beef-steak and a bottle, as well as a pot and a pipe."<sup>119</sup>

Dickens, in his "Sketches by Boz," has left a picture of that old-fashioned eating-room, with the large open fire, the roasting-jack, the gridiron, the deal tables and wax candles, the damask linen cloths, and the bare floor, where peers and members of Parliament assembled with their friends<sup>120</sup> to sit over their modest meals until it was time for a division, or, as Sheil says, "the whipper-in aroused them to the only purpose for which their existence was recognized."

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<sup>117</sup> Francis' "Orators of the Age," p. 212, and Grant's "Random collections," p. 7.

<sup>118</sup> T. P. O'Connor's "Gladstone's House of Commons," p. 88.

<sup>119</sup> Pearson's "Political Dictionary," p. 19.

<sup>120</sup> "25 April, 1822. Eat cold meat at Bellamy's (introduced by Lambton); and did not leave the House till near two." – Thomas Moore's "Memoirs," vol. iii. p. 346.

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