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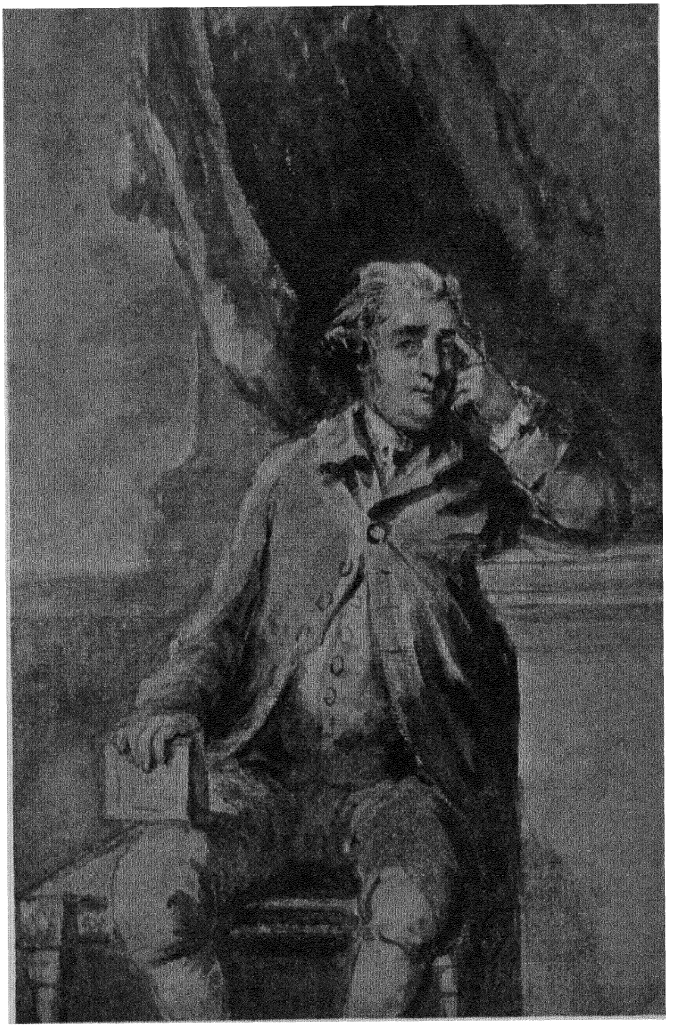
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PARLIAMENTARY ENGLAND

THE EVOLUTION OF THE CABINET SYSTEM

BY

EDWARD JENKS, M.A.

READER IN ENGLISH LAW IN THE UNIVERSITY OF OXFORD

London

T. FISHER UNWIN

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PREFACE

A BOOK of this size, which is to deal with a century and a half of modern history, can only succeed by limiting its treatment to a single side of the national life. The author has, accordingly, chosen for his subject the evolution of that curious form of government which is known as the Cabinet System, the appearance and development of which synchronise almost exactly with the period under consideration. Whatever be the merits and defects of that system, and whatever its future fate, it must always remain a subject of deep interest to students of history, and especially to students of English history. For it has had an immense influence on the politics of the world; and it is one of the most characteristic products of the English mind. The author employs the word "English" advisedly; for it is noteworthy that neither in Scotland nor in Ireland, before the Unions, is there any trace of the Cabinet System, and, though it has been freely adopted by the self-governing colonies, there are many who doubt whether it is essentially suited to

the circumstances either of colonial or of imperial politics.

The author, though he cannot pretend to an exhaustive knowledge of the vast mass of material available for the period, has made use of the standard sources, a few of which are, for the benefit of students, enumerated in the Appendix. Among recently published authorities are especially to be noticed Sir William Anson's edition of the Grafton Papers, and Mr. Graham Wallas's admirable monograph on Francis Place, who was the soul of the democratic movement of the early nineteenth century.

The author's thanks are especially due also to Mr. C. Grant Robertson, Fellow of All Souls' College, Oxford, who has been good enough to read the proof sheets, and to Mrs. Norman Moor, for her kindness in preparing the Index.

OXFORD,
June, 1903.



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PARLIAMENTARY ENGLAND

I

THE POLITICS OF THE RESTORATION

IT is the business of this book to explain how that system of government which came into force in England with the Restoration of Charles II. in 1660 was changed, in the course of one hundred and seventy years, into the system which was in force at the passing of the Reform Bill, and which, with some modifications, is in force at the present day. In the first place, therefore, it is necessary to explain how England was governed in the years which followed the return of the Stuarts.

The system of the Restoration represents, of course, the reaction after the Great Civil War. That war had been fought by people who were very much in earnest. The two irreconcilable ideals, loyalty to a person and loyalty to a faith, had clashed in the shock of battle; and victory had been given to the higher creed. Slowly, but surely, the conduct of

affairs had passed into the hands of the stern enthusiasts who cared much for principles and little for men; whose watchwords were Righteousness and Duty. Of that little band, Cromwell was the champion and spokesman; and therefore he was carried into power. But his followers dealt faithfully with him; and lost no opportunity of reminding the Lord Protector, that he held his office, not by any personal claim, but as the exponent of certain principles. Furthermore, they significantly hinted, that any trifling with carnal weakness would be followed by instant deposition. Cromwell, strong as he was, realised this perfectly well.

Such a government could continue only on one condition—that it should succeed in converting the nation to its own exalted temper. This condition the government of the Commonwealth entirely failed to perform. In spite of his superb ability, perhaps by reason of it, Cromwell remained the representative of a hopeless minority, of an aristocracy of vigour and enthusiasm; he never caught the imagination of the common man. For every one of his subjects who heard with a glow of patriotism of the great exploits of English soldiers in Europe and the Southern Seas, or watched with pride the sailing of the Protector's fleet, there were a thousand who hated him for his avowed contempt of what he called superstitions, but which they reverenced as the traditions of their childhood, for the taxation which his splendid army entailed, for the perfection of his police system, nay, for the very efficiency of his administration. This last cause may seem far-

fetched ; but it is not difficult to understand. In almost every system of government, there are some rules which are above the level of average practice. For example, in almost every municipal borough at the present day, there is a rule against driving on the wrong side of the road, and another against leaving horses unattended in the streets. Occasionally these rules are enforced ; but, in the majority of cases, in spite of the obvious dangers which follow from neglect of them, they are not obeyed. Any official who attempted to apply them systematically and completely would be driven from office by a storm of popular disapproval. In Cromwell's day they would have been rigidly enforced, to the intense disgust of the average man, who hates rules which interfere with his easy-going ways. Every fresh accession of knowledge which historical research reveals goes to show that the Cromwellian system was thoroughly efficient, and thoroughly unpopular.

It was, in fact, only maintained at all by the personal genius of Cromwell, who administered an impossible policy in the least impossible form. When he died, the strained bow flew back. Cowed by its recent experiences, the nation hesitated, for some fifteen months, to show its real mind. During this interval, the merest shadow dance of hollow spectres filled the stage at Westminster. But at last there came a man who laid his finger on the national pulse, and found it beating with hope of a return to the good old times, the old social and political order handed down from generation to generation, when each man knew his place and kept it, and when

neighbours could meet together without quarrelling about the condition of things in high quarters. Most of the old grievances were forgotten—the exactions of Charles' revenue officers, the tyranny of the bishops' courts, the pressing of men for hopeless wars, the billetting of soldiers, and the like. The past was invested with a golden halo, which hid all these things from sight. The leading courtiers looked, no doubt, for place and power. The clergy hoped to return to their parsonages and their stalls. The royalist lawyers who had compromised with the enemy by confining themselves to chamber practice, and by instructing their clerks to write "Oliver" with a little "o," [1] saw before them visions of great law-suits, and noble opportunities of forensic eloquence. All these, no doubt, had urgent reasons for desiring a Restoration. But these reasons had existed any time for ten years without bringing back the King. The real power behind Monk and the Convention Parliament of 1660, was the passionate desire of the nation to return to the good old times.

Charles and his friends must have known something of all this. As a matter of fact, Charles, like his father before him, was a representative man. The father represented the spirit which produced the Civil War—the deep religious enthusiasm, the determined, if mistaken, ideal of loyalty, the strong militant ardour which will fight a hopeless struggle rather than give way. The son represented the

[1] The story is told of Sir Geoffrey Palmer, who made a great name as a conveyancer during the Commonwealth, and who became the first Attorney-General of the Restoration.

spirit which the Civil War had produced—the disbelief in ideals, the acceptance of material comfort as the one thing really certain, the unscrupulous abandonment of principles in the face of temptation. And so Charles II. and his people were, in 1660, really suited to one another.

But it took some time to discover this truth. The King, most of whose life had been spent abroad, knew little of the people; the people knew little of the King. The real secret of Charles' security lay in the double fact, that the nation was prepared to submit to almost anything rather than re-kindle the flame of civil war, while the King was prepared to yield almost anything rather than, as he himself expressed it, set out on his travels again. But until this bond of security became apparent, the returned exiles seemed determined to profit by the stern experience of the war.

The statesman who most completely expressed this cautious policy was the Earl of Clarendon. His view of the situation was, emphatically, that of a lawyer. Every exercise of political authority since the late King left London in January, 1642, he regarded as a mere nullity. Even where it was manifestly impossible to ignore the deeds of the Commonwealth, as, for example, in the abolition of feudal tenures, he demanded that the change should be sanctioned afresh by Act of Parliament. Nay, he even required that the proceedings of the Convention Parliament itself, that very Parliament which had recalled the King, should be confirmed by its successor, because the Convention Parliament had

assembled without the royal summons. On the other hand, he professed to regard the earlier Acts of the Long Parliament, which had received the royal assent, as legally binding, though they had manifestly been forced upon the Crown in a time of revolution. Thus, he took pains to require the formal repeal of the Act which had prohibited the bishops sitting in the House of Lords, and the famous Triennial Act of 1641.

By this cautious policy, the Restoration government at first dissociated itself from the extremists on both sides. It made no attempt to go behind the Parliamentary triumphs of the reforming party, such as the Petition of Right and the abolition of the Star Chamber; and so it gave no encouragement to the high prerogative school of Strafford and Laud. But, after a little hesitation, it definitely abandoned the hopes of religious toleration held out by the Declaration of Breda, and, instead of providing a liberty for tender consciences, it strengthened the Elizabethan policy of Uniformity. It procured from the royalist Parliament of 1661 an Act which excluded all Nonconformists from municipal office, a second Act which forbade them to hold meetings for purposes of worship, and a third which prohibited their ministers acting as schoolmasters, or even residing within five miles of a corporate town. The more extreme pretensions of the old Parliamentarian party, to control the choice of the King's ministers and to criticise the administration of public affairs, it studiously ignored; and it was not happy until the famous army of the Commonwealth, which was



EDWARD HYDE, EARL OF CLARENDON (1608–1674).
From an engraving after Sir Peter Lely.

justly regarded, despite its correct behaviour, as a formidable relic of Puritanism, was disbanded.

And so, to all appearance, the ancient life of England resumed its quiet course. In the country, the Puritan Justices were replaced by Cavaliers, and the Crown took care to prick as sheriffs only such men as were known to be thoroughly loyal to it. In the hands of Sheriff and Justices lay practically the whole of the rural government, except when the judges from Westminster came round on circuit. The sheriff and his officers tracked out persons accused of crime, apprehended them, and brought them before the Justices, who, if the offence charged was serious, committed them to prison, or let them out on bail, to await their trial before the judges of assize; if it was less weighty, disposed finally of the case in Quarter Sessions. The Sheriff also executed all the orders of the higher courts, hanged the criminal condemned to death, sold the goods of the debtor who would not or could not pay, and put the victorious litigant into peaceful possession of the disputed estate. The Sheriff also presided in the Small Debts Court of the shire, and, more important still, at the election of members of Parliament for the county. Even the return of borough members passed through his hands; and it was this electoral function which made the character of the sheriffs a matter of such vital interest to the Crown. For, though, in theory, the Sheriff was a mere ministerial official, yet, in fact, he had no small influence in election results. As a revenue official, also, the Sheriff still accounted for the "ferm" or dues of the shire, the profits of

wardships and escheats, treasure trove, fines for venial offences, and other casual items; though the rapidly growing army of Exchequer officials threatened to render his financial duties unimportant.

In the hands of the Justices of the Peace lay a vast miscellaneous authority, which tended to increase with every fresh development of national policy. From the beginning of their existence in the early fourteenth century, they had been specially charged with the preservation of the peace, and the punishment of petty assaults. At the break up of the medieval system of serfdom, which followed on the plague of the late fourteenth century, the regulation of the ever-increasing class of day labourers, rural and urban, was placed in their hands. It was they who enforced the stern rules against vagabondage laid down by the early Tudor statutes, and the apprenticeship policy of Elizabeth. The Age of Elizabeth had also handed over to them the control of that vast system of poor relief, which was summed up by the great statute of 1601. In each parish the poor law funds were levied and administered by the overseers, but the appointment of the overseers and the enforcement of their duties were in the hands of the Justices of the Peace. Such scanty elements of a sanitary law as the country enjoyed were likewise enforced, if at all, by the Justices.[1] The Reformation, which had brought in

[1] The student who reads the contemporary histories of this period will notice frequent references to "Commissioners of Sewers." But these officials were concerned only with the drainage of land for agricultural purposes.

its train a whole elaborate scheme of statutes, aimed at securing outward conformity to the rites of the Established Church, had left the enforcement of its policy, at any rate since the abolition of the Court of High Commission, mainly to the Justices of the Peace; and the Restoration statutes, while giving back to the ecclesiastical courts much of the jurisdiction which had been taken away from them by the Long Parliament, wisely refrained from entrusting to the clergy the carrying out of the penal laws against Roman Catholic and Protestant Nonconformists. Finally, although one of the first acts of the royalist Parliament of 1661 was, to declare that the supreme command of all the armed forces of the country was vested in the Crown, the same body expressly committed the control and management of the local militia to the Lieutenants of the counties and their deputies, who were, in fact, the most important men amongst the Justices of the Peace.

In the corporate towns, which had been the strongholds of the Puritan cause, at any rate in the later stages of the war, the King's advisers had a more difficult game to play. Although, here too, the Justices of the Peace exercised considerable authority,[1] and it was easy to ensure that they should be well affected to the Government, there existed, alongside of these, important bodies of elected officials such as mayor, aldermen, and common councillors, who, by

[1] There appears to be some little doubt whether the borough Justices were not, in some cases, elected by the inhabitants. But it is very significant that the Corporation Act of 1661 takes no precautions against them.

their power to make by-laws, their control of the town funds, and their influence in parliamentary elections, were capable of proving dangerous opponents of the Court. Stringent measures were accordingly taken, to ensure the exclusion of undesirable men from such posts. Not only were all holders of office compelled to take the oaths of supremacy and allegiance; they were further obliged, upon pain of exclusion from their places, to swear that they regarded all resistance to the Crown, under whatever circumstances, as unlawful, and to declare that they held the famous Covenant to be of no binding force. But this was not all. By an almost unprecedented surrender of the rights of the subject, the Corporation Act of 1661 authorised the King to create a Commission of Visitors, who should have power, for nearly two years, to remove, at their uncontrolled discretion, all municipal officers, (whether they were willing to take the oaths or not,) whose continuance in office they deemed to be inexpedient for the public safety, and to replace them by any others who had been previously ejected. The royalist writers are, for the most part, discreetly silent about the use which was made of this extraordinary power; but, as the Corporation Act goes on to exclude from all future holding of office every person who fails to take the sacrament according to the rites of the Church of England, it can hardly be doubted that the Commission was aimed at the total exclusion of dissenters from municipal office. When we consider further the character of the Conventicle Acts of 1664 and 1670, which prohibited, under

severe penalties, all assemblies for religious worship otherwise than in the churches of the Establishment, and which, though general in their operation, must have been most severely felt in the great centres of population, and, finally, the Five Mile Act of 1665, which prohibited all Nonconformist ministers coming within five miles of a Corporate town until they had taken the oath of non-resistance, it will be easy to realise, that if the government of the Restoration did not succeed in tuning the Corporations as effectually as Elizabeth had succeeded in tuning the pulpits, it was not for lack of strenuous endeavour.

If we turn from the local authorities to the central government in London, we shall recognise the same policy of adhesion to the letter of the law, combined with a determination to keep the control of affairs in the hands of the "well-affected." His enemies said that Clarendon was no lawyer; and it may well be that his knowledge of the details of ordinary legal practice was limited. But he had an essentially legal mind; and his long study of the sham business of an exiled Court had brought him to regard forms as of the utmost importance. Now, in form, the English Constitution, at the outbreak of the Civil War, was a monarchy, in which, no doubt, the action of the King was expressly limited by certain solemn enactments, but in which every exercise of State authority was effected in the name of the King, and in which every other organ of the central authority—Parliament, Privy Council, Admiralty Board, Treasury, Chancery, even the Law Courts—was a mere satellite of the Crown, brought into existence to act as its humble

adviser and helper, not as a rival, or even as a critic of the Crown's authority. It is greatly to Clarendon's honour, that he made a practical exception to this rule in the case of the Law Courts. The subservience of the judges in the early days of the struggle between Crown and Parliament, seems to have been condemned by all moderate men; and the growing practice of appointing the judges for life, instead of merely at the pleasure of the King, was doing much to strengthen the wholesale feeling of judicial independence. Unhappily, the practice was not made compulsory until the passing of the Act of Settlement in 1700, an omission to which may be attributed many of the evils of the later days of the Stuart rule. But still, both the Commonwealth and the Restoration governments seem to have been sincerely anxious to raise the dignity of the judicial bench; and, in the many changes which took place between 1640 and 1660, there seems to have been little breach of continuity in the roll of the judges.

In all other respects, however, there was a complete break between the policy of the Restoration and the policy of the Long Parliament. The Reformers of 1640 had desired to establish a Commonwealth in which all questions of first importance should be decided by votes of the elected House, and all details of administration supervised by a Council of State which should be, in effect, a Committee of that House. Moreover, Parliament was to retain in its own hands the appointment of public officials. This was actually the system in force from the outbreak of the Civil War until the day on which Cromwell's dragoons

turned the last remnant of the Long Parliament out of doors. There had been a faint attempt to revive it on the death of Cromwell. But Clarendon would have none of it. He might have pointed out, with great force, that the system had not been able to maintain itself even during the absence of a King. He preferred to say, that the system was clearly illegal, and that, by the evidence of countless documents and forms of speech, Parliament was merely the advisory Council of the monarch in matters of legislation and taxation. It was true, that, by the same law to which Clarendon appealed, any attempt by the Crown to legislate or to tax without the consent of Parliament was condemned. But if the King did not desire to legislate or to impose taxes, he might comply with all the requirements of the law by merely calling Parliament together for a brief session once every three years.[1] Had the force of circumstances permitted, there is little doubt that Clarendon would have advised the King to keep as near this minimum as possible. In Parliament as an organ of good government, he had no belief whatsoever, even though the severe measures taken with the borough constituencies, and the exaction of the Oath of Supremacy from newly elected members, rendered it difficult for Catholics or Nonconformists to gain admission.

There was, however, one important fact, which rendered Clarendon's views on the relations of Crown

[1] The Statute of 1664, which repealed the Triennial Act of the Long Parliament, still expressly forbade the intermission of Parliament for longer than this period.

and Parliament practically untenable. This fact was, that the Civil War had destroyed the last shred of the financial independence of the Crown. With the steady fall in the value of money, and the steady growth of the expense of government, the Crown had come more and more to depend upon Parliament for the means of existence. A grant of taxation, at one time looked upon as an exceptional measure, giving ground for a strong suspicion that the monarch had been wantonly extravagant, gradually became a normal feature of every session of Parliament. The last desperate struggle of Charles I. to reign independently of Parliament had broken down before the sheer necessity of filling the royal coffers. The taxation of Cromwell had been thorough and regular; and Charles II. was not likely to be more frugal than Cromwell. Finally, the feudal revenues,[1] once the main stay of the independent income of the Crown, had been swept away by the Commonwealth government; and the Cavalier Parliament of the Restoration, much as it hated the Puritans and their ways, had not the slightest hesitation in affirming a measure which relieved the landowners from a chief part of their liabilities to the State. It is true that a liberal compensation had been granted to the Crown in the shape of an hereditary excise upon beer, wines, and spirits;

[1] These were a numerous list of casual items due to the Crown as supreme landowner in the kingdom, from all persons whose estates had originally been granted to them by the Crown, on condition of military service. They included such vexatious items as the right to the wardship of infant heirs, the values of heiresses' marriages, the privilege of seizing provisions and carts for the royal household, and the like.

and that, in pursuance of ancient precedent, the Customs Revenue had been settled on the King for life. But, in this latter gift, the Commons inserted a significant warning that no extension of the list of dutiable articles (technically known as the "Book of Rates"), much less any increase in the rates of duty, could be looked for except from the favour of the Lower House. And, as a matter of fact, before the end of the first year of his reign, Charles was obliged to come to Parliament, hat in hand, on more than one occasion.

It was the fond belief of Clarendon, that this state of things would only be temporary. Once let the enormous expense of disbanding the Commonwealth army be discharged, the accumulated debts of exile paid, the pardonable extravagances of new possession overcome, then surely the natural increase of trade under a lawful monarch would manifest itself in the increase of Customs and Excise, and all would be well. But the happy day never came. As the Court began to realise the temper of the nation, the outward decency of the early years faded before the growing spirit of reckless extravagance and immorality. In the expressive language of the time, "the pudding began to creep, and all must needs have a share." Money voted for public purposes was squandered by the King on mistresses and courtiers. The pension list grew at an appalling rate. Jobbery and robbery filled the public offices, and emptied the public coffers. The claims of the Crown were neglected, except where a large percentage of the receipts went into private pockets. The claims against the Crown were either ignored

altogether, or satisfied two or three times over. The more impudent the demand, the more likely to meet with success. To the extravagances of peace was added the cost of war. Clarendon himself reckoned, that the expense of the fleet had multiplied itself tenfold since the accession of the King's father. And yet the seamen were always clamouring for their wages.

And so it was necessary, not to extinguish Parliament, but to conciliate it. And at this point the legality of the Chancellor gave way. In strict law, he ought to have appeared as the King's representative before the Houses, and, in a formal speech, have named the sum which his Majesty desired of his faithful people. Neither Clarendon, nor Southampton (the Treasurer), nor Ashley (the Chancellor of the Exchequer), was a member of the Commons; and it was grossly unconstitutional of them, as matters then stood, to attempt to influence the debates of that House. But the risks of the old method were too great. It would not do to incur a refusal. It was necessary that Ministers should be kept in touch with the changing temper of the Commons, should be able to give assurances and promises on behalf of the Crown, and should bring to bear upon members all the Court influence which in that day meant so much. In other words, the House had to be "managed"; and the Chancellor, dignified as he was, did not disdain entirely the arts of management. But he was not an adept in the business. His practice was to summon a few of the "well-affected" members to meet himself and the Treasurer at fairly frequent intervals during the session, and to read them homilies

on the behaviour of the House. The members thus favoured, for the most part respectable Cavalier squires, did their best to follow the Chancellor's lead, but without much success. They were not supple enough ; they found a new and frivolous element in the House, an element which professed unbounded loyalty to the King, but which desired to see its loyalty openly recognised.

The opportunity thus afforded was seized by a new type of politician, or, rather, by a new development of political ambition. The professed courtier, who, in former reigns, would have shrunk from contact with anything so vulgar as the business of the Commons, now found his element in studying it. He realised very well, that the King, with his cynical selfishness, would welcome help from whatever quarter it came, and would reward it in strict proportion to its usefulness. The help which Charles needed could generally be expressed in one word—money. For money he was willing to sink his honour, his dignity, his royal position ; and he was prodigal in his favours if he had money in prospect. What was needed was a link between the Court and the House of Commons, but a link which should not be too conspicuous. It was exactly the post for an adventurer. Men like Bennet and Will. Coventry first made themselves acceptable in small offices to the King, then procured seats in the Commons by royal influence, then set themselves steadily to work to make a Court party in the House. If a member showed signs of aptitude, he was assiduously cultivated by these new missionaries, taken to kiss the King's hand, his head turned by

gracious words from royal lips and gracious glances from semi-royal eyes. He heard himself extolled as a man of the most prodigious parts, though in all probability his former friends had been stupid enough to treat him as an ordinary person. Visions of stars and titles floated before his eyes. He regarded his new friends as better guides to the royal wishes than the ostensible Ministers, who merely communicated their orders at second hand, and who never brought him within the sacred circle of royalty.

A moment's thought will show the strength of the position held by men like Bennet and Coventry. They alone knew the minds of both parties to the bargain. A few gracious and vague words from the monarch, a few profound reverences from his supporters in the House—these were the only points of direct contact between the bargainers. The real business was settled by discussions in the King's closet, and by whisperings in the lobbies of the House. But on these occasions the parties were not face to face. Everything depended on the reports of the intermediaries. What was to prevent Coventry from glossing the words of the King to the members, or exaggerating the promises of the members to the King? It was of the very nature of the transaction that misunderstandings could not be explained. The parties were at the mercy of the connecting link. And so it came about that the Commons often voted, not what the King really wished, still less what his ostensible Ministers wished, but what the Court party had been given to understand that the King wished. In other words, the

King and the Commons were puppets in the hands of unscrupulous intriguers.

But, of course, the conquest of the Commons, and even of the King, did not mean the acquisition of supreme power. So long as the great offices of State were held by men like Clarendon, Southampton, Ormond, or even like Monk, the power of the new intriguers was comparatively small. The forms of the constitution allotted the business of State among these great officials; and it had been judicially decided, as early as the reign of Elizabeth, that even the personal act of the Crown was invalid unless it was expressed by the proper official in the proper way. A royal grant of an office or pension was worthless unless it was duly authenticated by the Great Seal, the custody of which was the special privilege of the Chancellor. A royal order for payment of a sum of money was invalid unless it was supported by the warrant of the Treasurer. Charles's courtiers talked loudly of the indignity suffered by a monarch whose personal will was thus thwarted; and it may well be doubted whether even Clarendon or Southampton would actually have refused to issue the necessary forms on the personal command of the King. But they could, and did, refuse to issue them on the application of courtiers, even though that application were supported by the royal handwriting. And Charles, at any rate in the earlier years of his reign, had some faint sense of shame, which prevented him overruling the firm and (it may be) somewhat prolix remonstrances of his faithful Ministers, when he knew himself to be entirely in the wrong.

But there was a weak spot in Clarendon's armour; and his rivals were not slow to detect it. Although the Ministers were the servants of the Crown, and were entitled, as such, to individual access to and to orders from the Crown, they could, by unquestioned law, be summoned by the Crown to take part in a general discussion in the Privy Council. Clarendon himself had recognised the necessity for a continuance, and even for a revival, of this ancient institution, if only as a counterpoise to unworthy favourites whom the Crown, from personal predilection, might invest with some of the great offices of State. He had even, with some reluctance, consented to the formation of a secret committee of the Council, for the discussion of matters of the weightiest importance, such as could not be entrusted to the entire body. But he had not foreseen that this secret committee might be used as a lever to induce the King to overrule the views of his Ministers; and he was beyond measure disgusted when the King proceeded to admit the new political intriguers, not merely to membership of the Council, but to membership of the secret committee. Yet it was impossible to deny the constitutional right of the King to summon any of his subjects to the Privy Council; and even Clarendon himself would have admitted the importance of keeping the House of Commons in harmony with the Executive Government. The mischief of the arrangement lay in the possibilities of abuse which it opened up; and especially in the fact that it was really introduced by unscrupulous intriguers for their own selfish ends. One of the first results of its introduction

was, to enable Sir George Downing to procure the insertion in a Bill of Supply of the famous clause appropriating the sums voted by the Commons to specific purposes—a step which at once threatened a national bankruptcy, because it repudiated the claims of the bankers who had advanced money on the faith of the incoming revenue. Clarendon himself has left a vivid, almost a pathetic picture of the meeting at which the step was forced upon a bedridden Chancellor and a gouty Treasurer by the glib arguments of the courtiers; and the scene is really vital, for it marks the triumph of the new order over the old. Moreover, unworthy as were the motives of the propounders, the scheme was, in truth, the precursor of two fundamental institutions of English politics—the financial control of the House of Commons, and the existence of a National Bank.

The crisis came in the year 1667, when, on the death of Southampton, the King, against the strenuous remonstrances of Clarendon, refused to appoint a new Lord Treasurer, and put the Treasury into Commission in the hands of Clifford, Coventry, Ashley, and Duncombe. The first three were Parliamentary intriguers of the new type, the last a respectable country squire who, as a tool of Coventry, lent an appearance of respectability to the Treasury Board, without offering any serious check to the policy of the other members. This momentous step was followed, after a few months, by the impeachment and fall of Clarendon himself, sacrificed to the outburst of indignation aroused by the attempt of De Ruyter on London. It seems strange that so

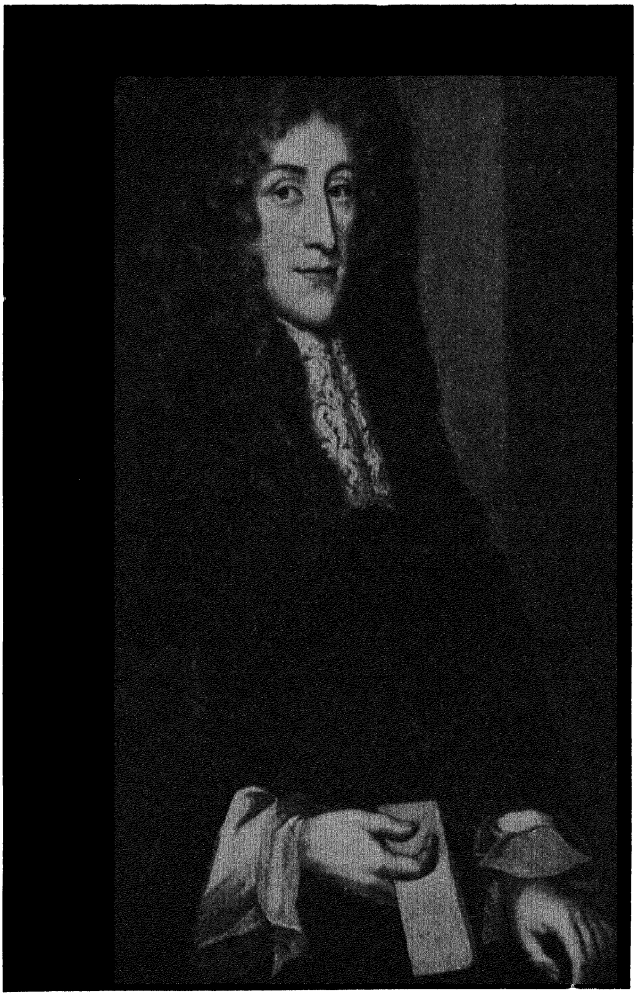


Photo by] [*Walker & Cockerell.*

ANTHONY ASHLEY COOPER, FIRST EARL OF SHAFTESBURY (1621–1683)

Portrait by John Greenhill, in the National Portrait Gallery.

shrewd a man as Charles should not have seen that, in dismissing Clarendon and admitting the Cabal to office, he was really losing a servant and gaining a master. Perhaps he did see it, and did not care, believing that he would always be able to secure good terms for himself from the new rulers of the State. For, however divided amongst themselves, however innocent of principle, the new Ministers resembled a modern Cabinet in this important fact—that they hoped to govern England according to their own views, and not according to the views of the King. The initiative in policy was passing from the Crown to the Ministry. Clarendon was almost the last of the medieval type of Minister, who set devotion to the Crown as the first political duty. There was a brief revival of this older type with Danby, and a more successful, though still more belated attempt, with North. But the political gamblers of 1667, the Cliffords, the Arlingtons, the Buckinghams, the Coventrys, the Ashleys, were really the pioneers of a new system, the development of which was to be the task of English statesmanship for the next two hundred years. Their achievement is only one of many examples which seem to prove, that there is no necessary connection between morals and politics.

It is not, however, superfluous to point out, although it has been done before, that the Cabal Ministry of 1667, while it must undoubtedly be reckoned as a distinct advance towards the modern system, was yet very different from the Cabinet of the nineteenth century. Its meetings were, indeed,

secret; it had no formal place in the Constitution; and it was supposed to be busily engaged in wire-pulling. The name of Cabal was probably given to it for the first of these qualities, from the Italian word *Cabala* (secret society), which had been naturalised in England for nearly a century. The word "Cabinet," in an almost equivalent sense, was nearly as old. The accident that the initials of the chief members of the Ministry of 1667 happened to spell the former word, no doubt helped the title to stick, and rendered the word itself unpopular after the fall of the Ministry.

But the Cabal differed from a modern Cabinet in owning no allegiance to the majority in the House of Commons, in having no common policy, and, above all, in having no recognised head. It is not a little curious that Clarendon had, according to his own account, ostentatiously refused the suggestion, made a year or two after the Restoration, that he should assume the title of First Minister, after the model of the French system, then very much in favour with Charles and his personal friends. And it is worth noting that the shade of Mazarin afterwards took an ample revenge for the indignity, by fastening the French word "Premier" upon the English chief Minister.

Never, in fact, was there a wilder medley of inconsistent measures than the doings of the Cabal. A definite Protestant policy was expressed in the Triple Alliance of 1668, and in the Bill to comprehend Nonconformists in the Church. But a revival of the Conventicle Act in 1670 showed the power of

the High Anglicans, only to be followed by the Treaty of Dover and the public toleration and protection of Catholics by the King and his brother. The climax was reached in 1676, when the Duke of York made a formal profession of Catholicism. But this last step, although it produced a reaction which led to the passing of the Test Act in 1673, and the fall of the Cabal in the same year, did not, as it would have done a century later, find an organised Opposition ready to take office. On the contrary, it seemed to destroy the new system at a blow, and to enable the Crown to revert to the older state of things, by the appointment of Danby as Lord Treasurer.

The check was, however, only temporary. The first passionate outburst of loyalty to the Crown provoked by the Restoration had grown somewhat cold under the shadow of the corruption and debauchery which followed the fall of Clarendon. In the storm of indignation aroused by the ingeniously exploited Popish Plot, the personal popularity of Charles fell to its lowest ebb. The Parliament of 1679 outspokenly condemned the action of the Court, and carried through their impeachment of Danby in the teeth of the royal pardon. The whole country was profoundly stirred by the controversy over the Exclusion Bill, by which it was proposed to exclude the Duke of York from the succession on the ground of his religion. Once more Parliament was divided into sharply hostile parties; the supporters of the Exclusion Bill, or "Petitioners," maintaining the right of Parliament to alter, for weighty reasons, the succession to the throne, the opponents of the

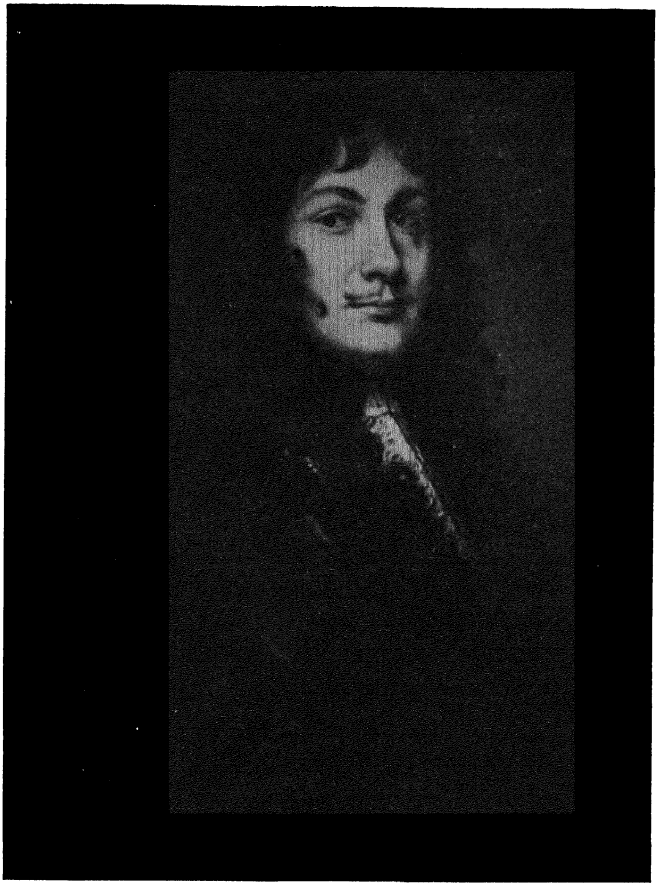


Photo by] [*Walker & Cockerell.*

SIR WILLIAM TEMPLE (1628–1699).

Portrait by Sir Peter Lely, in the National Portrait Gallery.

measure, the "Abhorrers," stoutly asserting the indefeasible character of hereditary right. In this division reappears the old cleavage of the Civil War, with this important difference—that both parties alike accept the main outlines of the existing order, and disagree only about details. Like their predecessors, the Cavaliers, the "Abhorrers" professed special loyalty to the King, and thus anticipated the attitude of the Tories, their successors. Like their predecessors, the Puritans, the "Petitioners" thought more of principles than of men; but, unlike them, they were not prepared to abolish existing institutions. Thus they foreshadowed their Whig successors, who were loyal to the Crown, though claiming for Parliament the right to choose its wearer.

As the line of cleavage became clearer, a new band of politicians, worthy of the name of statesmen, grew up in the place of the intriguers who had caused the fall of Clarendon. The private life of Rochester was, no doubt, scandalous; but in public life he was not without principle. Sunderland was, no doubt, unscrupulous; but he was not a mere political pirate. Temple, Essex, Halifax, and Somers were men of real political worth, to whose hands the ship of State might safely be entrusted. Temple's scheme of 1679, to place all executive authority in the hands of a Council of Thirty, unworkable as this scheme was, points definitely to the consummation desired by the first political thinkers of the day. It had become clear that supreme power could be entrusted, neither to a monarch who might be an unprincipled man of

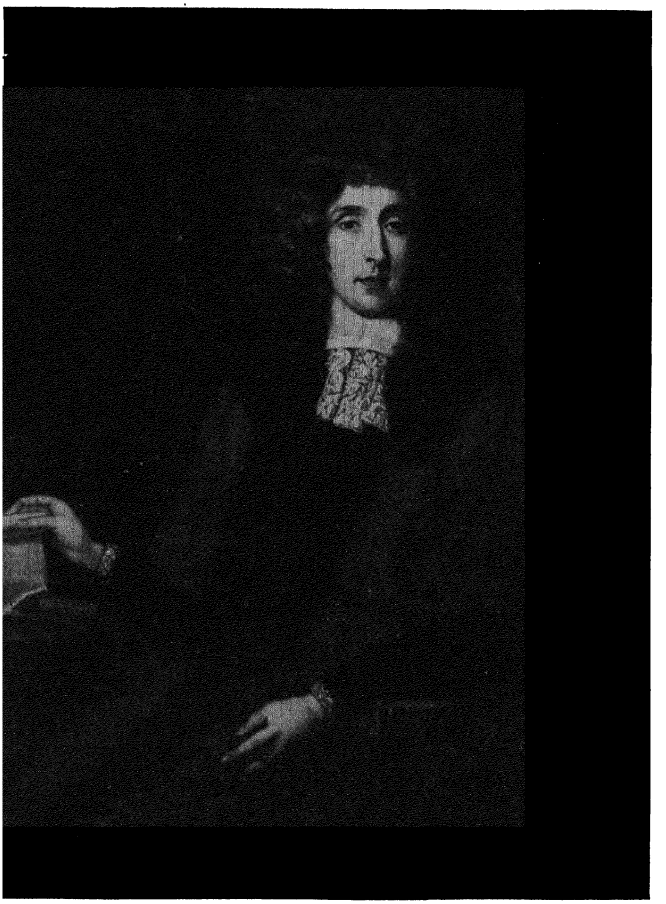


Photo by] [*Walker & Cockerell.*

JUDGE JEFFREYS (1648–1689).

Portrait by Sir Godfrey Kneller, in the National Portrait Gallery.

pleasure, nor to a factious House of Commons, nor to an irresponsible Junto of political gamblers. The problem was, to find some scheme which should combine the advantages of all these alternatives, while avoiding their defects. Temple's plan was obviously imperfect, for his Council had neither the unity of a single mind, nor the cohesion of a Junto, nor the stability of a representative Chamber. For long years the nation was to wander in the desert of experiment. But some of the clearer eyes began to discern the Promised Land.

The eight years which elapsed between the publication of Temple's scheme and the landing of William of Orange were fruitful in political teaching. The monarchy of the Stuarts was rapidly hastening to its doom, and revealing to an incredulous nation the possibilities of evil which lay within the power of a *jure divino* King. The shameful sale of the country to France, the tampering with the judicial bench, the persecution of the municipal corporations, the vindictive murders of Russell and Sidney, the open defiance of the Test Act, the attack on the Universities, the collection of armed troops to overawe London, the proceedings against the Seven Bishops, at last roused the patience of a nation only too reluctant to risk a revival of civil war. The invitation to William of Orange was signed by representatives of all political parties. James found himself without a friend in England. It was not, in fact, until the Revolution had been achieved, that its authors began to consider what they should do with it.

II

THE GLORIOUS REVOLUTION

AND yet, in a sense, it is profoundly true, that the final flight of James from Rochester was not in itself a Revolution, but merely the herald of a Revolution. Just as the real difficulties of the Puritans had begun with the capture and execution of James's father, so the real difficulties of the statesmen of 1688 began with the flight of James. That event had decided nothing, except that James himself could no longer occupy the throne.

Even this last fact was, for a time, disputed. So strong was the mistaken sentiment of loyalty to the person of the King, so deep the dread of a revival of the horrors of civil war, that a small but influential body of men, under the leadership of Sherlock, the Master of the Temple, urged the recall of James. But even Sherlock did not venture to propose that the fugitive should be recalled without conditions. He had himself bravely resisted the Order in Council which bade the clergy read the Declaration of Indulgence from their pulpits; and he was firm

in his attachment to Protestantism. Though the party which he represented seems to have been rather wary of defining its conditions, we gather that at least it proposed to bind the King not to exercise his claim to dispense with the operation of statutes, nor to attempt to force Catholicism on an unwilling nation. Macaulay has pointed out, with great force, the inconsistency of Sherlock's position. He represented those who had, until the last few months, urged that under *no* circumstances was resistance to the monarch lawful. Yet here he was proposing to resist until the monarch should give way on certain important points on which he (the King) conscientiously believed himself to be right. But, in truth, a weightier bar than the doubtful argument of consistency lay across Sherlock's path. How could his followers be sure that James would respect his most solemn oaths? His moral pedigree was terribly against him. Could men forget how his grandfather had thrown over his own subjects and his allies in the face of his pledged word; how his father had played fast and loose with those who had honestly striven to come to terms with him—nay, even with his own loyal and devoted followers; how his brother had taken money to carry on a war in alliance with the Dutch against France, and had then accepted money from France to desert the cause of the Dutch? No doubt the courtly clerics and nobles who acted with Sherlock were prepared to urge that Kings were not bound by all the rules of morality by which ordinary men are judged. But very few Englishmen, even in 1688, were prepared to submit

to a monarch who declined to be bound by the most solemn public promises in matters between himself and his subjects. Moreover, James had none of the personal attractions which were too often allowed to weigh against the bad faith of his predecessors, none of the homely good-nature of his grandfather, none of the dignity of his father, none of the easy tolerance of his brother. He was morose, bigoted, cruel. Though he had at one time acquired a reputation for personal bravery, recent events had thrown grave doubts upon the justice of that claim. Finally, it was more than questionable whether he himself would have been willing to make even the least of the promises which his warmest advocates proposed to ask of him. At the critical moment, indeed, he wrote a letter to the Privy Council, which would have been arrogant from a victorious ruler who held his subjects in the hollow of his hand, but which, coming from a fugitive, was simply a new testimony to his utter incapacity to grasp the situation.

A second proposal, far more specious, because far less open to obvious objection, and far more in accordance with the general character of English politics, was put forward by Sancroft, the Archbishop of Canterbury, at this time a very popular personage, from the fact that he had figured at the head of the Seven Bishops, whose acquittal on a charge of seditious libel had been the signal for the first flight of James. The Primate, though his treatment by the King had, for the time, broken down his conviction of the duty of non-resistance, shrunk from every

project which looked like a forcible deposition. After long reflection, he had matured a proposal for a Regency, a scheme which, while professedly recognising James as King *de jure*, should allow the royal powers to be exercised by a guardian to be chosen by the nation. There was more than one precedent for such a plan in English history. The kingdom had been governed by Regents during the minorities of Henry III., Richard II., and Edward VI.; there had been something of the kind during the last years of Edward II., and during the decay of Henry VI. It is true that, even in the first group of cases, in which the Regency had been exercised during the infancy of the monarch, the results had not been altogether happy. The quarrels between Hubert de Burgh and the foreign ecclesiastics, between John of Gaunt and his many rivals, between Somerset and Warwick, had convulsed the realm; and the fictitious Regencies of Mortimer and York had been even more stormy. Still, the Archbishop's proposal could not be treated as quite visionary. It appealed to a hope which dominated the minds of a large number of Englishmen—the hope that the present difficulty might be overcome without any open violation of allegiance. It was also, no doubt, acceptable to those members of Sherlock's party who saw that their own scheme was impossible at the moment; for it held out a distinct opening for the return of James at a future date. A Regency is by its nature a temporary arrangement. It presupposes a possibility that the monarch may some day reach or recover a state of

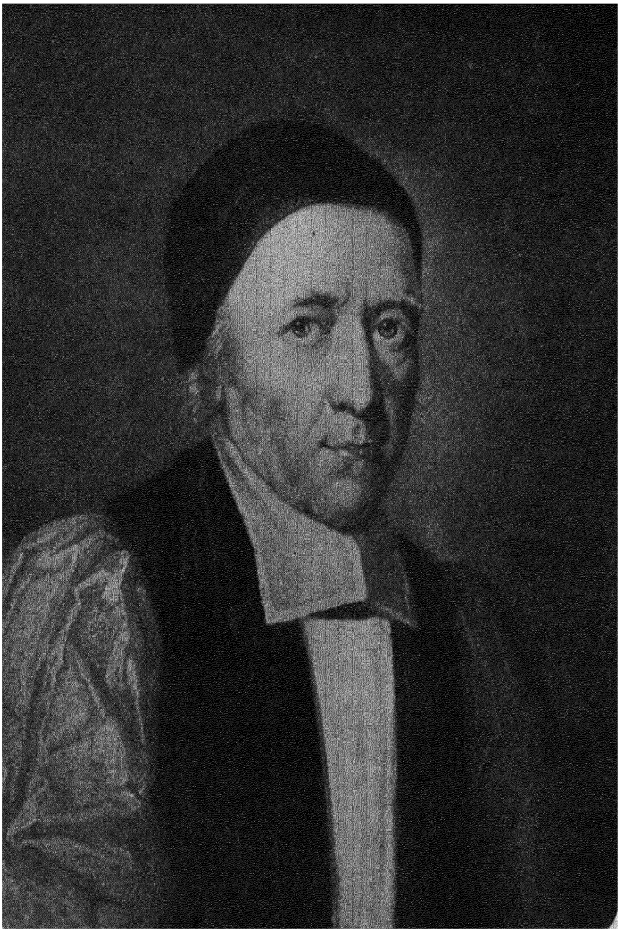


Photo by] [*Walker & Cockerell.*

ARCHBISHOP SANCROFT (1616–1693).

Portrait by Lutterel, in the National Portrait Gallery.

mind, in which he will be competent to exercise the powers of royalty.

The real objection to the scheme of a Regency was, that of necessity it prolonged a state of affairs which it was essential to put an end to at the earliest possible moment. Only by a violent fiction could James be said to be incapable of governing. No doubt he was incapable of governing well; but to admit that when a King ceases, in the opinion of his subjects, to govern well, he may be superseded in the exercise of his office, would have been to admit the doctrine of resistance in its most extreme form—a conclusion, it need hardly be said, abhorrent to Sancroft and his supporters. They could not long have ignored the existence of James, nor continued long to recognise a Regent who acted in constant defiance of his wishes. One of the bitterest charges brought by the Royalists against the Long Parliament had been, that it dared to use the name of the King to sanction measures of hostility against the King. But here were the legitimate successors of the Royalists proposing to do the very thing which their fathers had abhorred. The arrangement would have led to constant quarrels and doubts. It would have perpetuated a system of dual government utterly unworkable and intolerable. In fact, the elements of the system were just then in existence. There was one King at Whitehall and another at St. Germains. The supporters of Sancroft found this state of things intolerable; and they proposed to get over the difficulty by making it perpetual!

A third scheme, far more practical, if less attractive, was that of Danby, the astute but unscrupulous Minister of Charles II. Danby proposed to admit the demise of the Crown, and to assume that, by strict hereditary right, the title to the throne had descended upon Mary, the wife of William of Orange, the eldest child of James II.

There can be little doubt that, if this ingenious scheme could have secured acceptance by the nation, it would have obviated many of the difficulties attaching to the position. The chief cause of James's unpopularity was his religion; but Mary was a firm Protestant. James was morose and cruel; but Mary was gay and gentle-hearted, of blameless life, beautiful, and thoroughly English. Though as yet she had borne no children, she was but twenty-six, and, even if her issue failed, her sister Anne was the mother of a large family. She was intensely popular in Holland; and there seemed to be no reason why she should not be equally popular in England. In the reign of Elizabeth England had been glorious under the rule of a woman; and, though Mary was married to a man who certainly could not be treated as a nonentity, yet William of Orange had vast affairs on the Continent to occupy his time, and might be kept out of English politics. Danby hoped to conciliate the Whigs by his premises, and the Tories by his conclusions. He thought that the Whigs would be flattered by a recognition of the vacancy of the throne, and the Tories by a recognition of the claims of hereditary descent. He was wrong. In spite of the constitutional orthodoxy

of the expression "demise of the Crown," the Tories maintained that this demise could only take place by the death of the monarch, or, at the very least, by his voluntary resignation. The Whigs desired something more than a mere change of monarchs. Strange to say, both parties agreed to ignore a fact which, to the modern historian, seems the most effective bar to the success of Danby's scheme, viz, the existence of the little Prince of Wales, afterwards known as the Old Pretender, whose flight with his mother, on the eve of William's entry into London, had been one of the most dramatic incidents of the crisis. But, as is well known, the absurd mystery which had been spun about the event of his birth had ended by convincing a people very willing to be convinced, that the unfortunate child was no offspring of James and his wife, but a deliberate fraud upon the nation. The warming-pan theory held the field till some months had expired. And, in spite of its general unpopularity, Danby's scheme might, in the close balance of parties, have turned the scale, but for the existence of a simple fact, of a kind not infrequently overlooked by the cold calculations of politicians, but not infrequently fatal to their most crafty schemes—the loyal impulse of a woman's heart. It did not occur to Danby, that Mary might not be eager to grasp the dazzling prize held out to her.

Fourthly, in sharp contrast with the timid and fictitious schemes of Sancroft and Danby, was the bold proposal of the Whigs, who declared that James, by his conduct, had forfeited the Crown, and

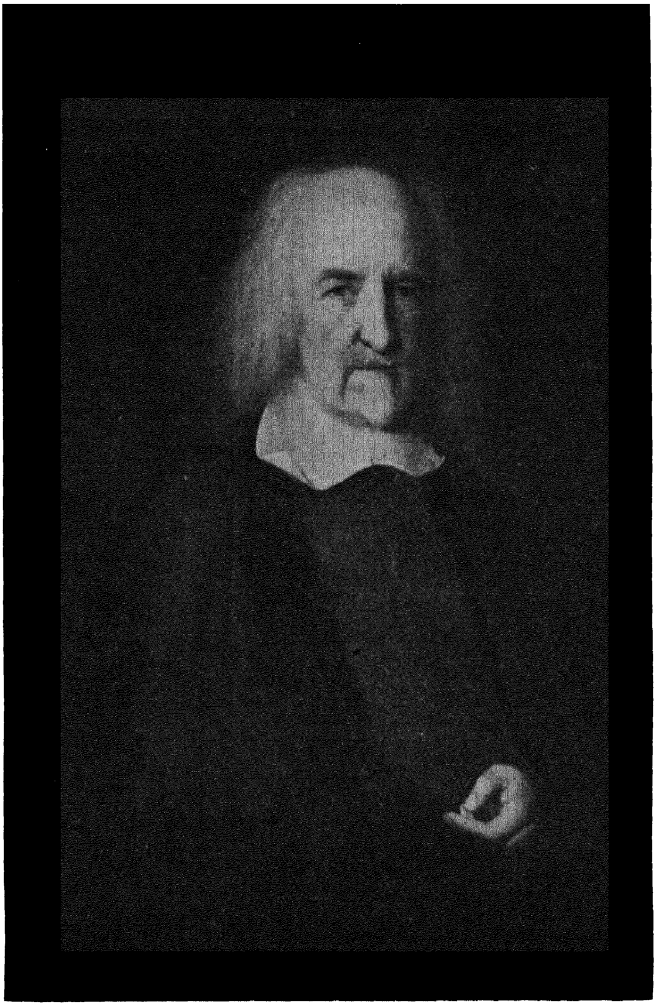
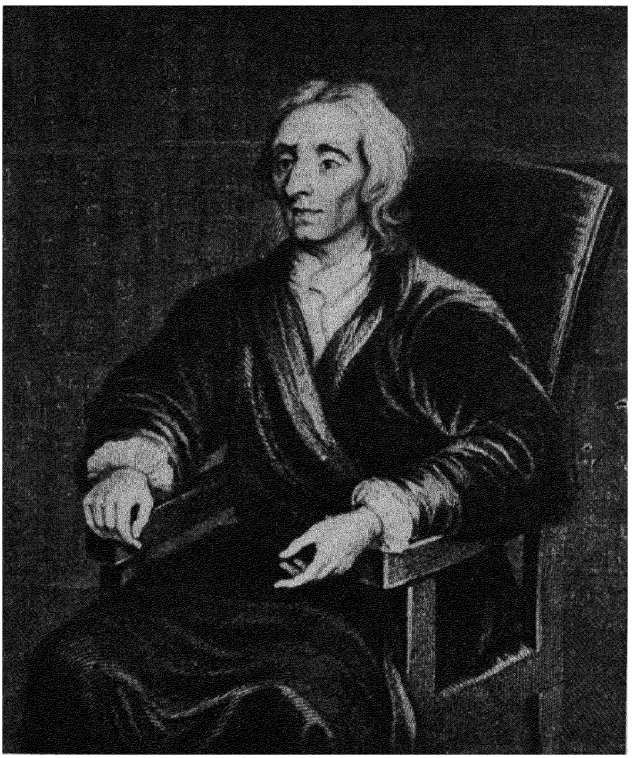


Photo by] [*Walker & Cockerell.*

THOMAS HOBBES (OF MALMESBURY) (1588–1679).

Portrait by J. M. Wright, in the National Portrait Gallery.

that it devolved on Parliament, as representing the nation, to bestow it upon a more worthy wearer. Forced to recognise the fact that no formal authority for such a proposition could be produced, though there was more than one precedent for it in the course of English history, the Whigs fell back upon a political theory which was then in great vogue. This was the famous doctrine of an Original Contract, by virtue of which all political society was alleged to have arisen out of an agreement, or series of agreements, between or amongst rulers and ruled. The vagueness of this theory, which, towards the middle of the seventeenth century, had almost superseded the older theories of the State, may be judged of by the fact that, in the hands of the rival parties, it led to directly opposite results in practical politics. The form adopted by the Tories was that rendered famous by Hobbes, who saw in the Original Contract a final surrender of all political power into the hands of an absolute ruler, by a number of individuals who by that act alone became a community. It is true that Hobbes admitted that this ruler need not be a single individual; but the admission was not of great value for practical purposes, for no responsible statesman in 1688 contended that the sovereign power in England was vested in the Houses without the King. And Hobbes himself, despite his alleged religious unorthodoxy, was universally recognised as the champion of Royalism. But the Whigs adopted the form of the theory stated by the illustrious Locke, who regarded the Original Contract, not so much as



JOHN LOCKE (1632–1704).
Portrait by Sir Godfrey Kneller.

an agreement between individual subjects on the one hand and the ruler on the other, as an agreement between these individuals to form a community, which should, from time to time, entrust a ruler for their benefit with certain prescribed powers, any abuse of which implicitly revoked his authority, and justified the community—not necessarily the Houses of Parliament—in appointing a successor, and in revising the terms of his appointment. Inasmuch as the Whigs had been the real instigators of the invitation to William, though men of all parties had actually signed the invitation, there could be very little doubt that their wish was to make William King. Inasmuch, also, as the choice of a Regent by Sancroft's party, if they were victorious, could hardly fall upon any one else, it might seem that the only real questions at issue were as to the respective claims of William and Mary, and the new conditions, if any, to be imposed upon the monarch. And yet the decision of these questions, as we shall see, gave rise to considerable discussion, and no little difficulty.

The first definite step towards a settlement was the voluntary assembly of about thirty peers at the Guildhall of London on December 11, 1688. This meeting, though it included the two Archbishops, was not by any means representative of the political activity of the time; but the voluntary adhesion to it of the Lord Mayor and Aldermen greatly strengthened its position, and it must certainly receive the credit of making the first attempt at reconstruction. It confined itself to voting an address to William, expressing its confidence in his

ability and willingness to serve the nation, and praying him to procure the calling of a free Parliament. The caution of its leaders was manifest in the grounds which it offered for its request, being none other than that James himself had approved of and actually initiated such a plan.[1] But it is not a little remarkable, that a close meeting, in which the Archbishops must have played such a prominent part, should have openly expressed a wish for "a due liberty to Protestant Dissenters."

Encouraged by this address, and by a warm invitation from the City of London, which immediately followed it, William summoned a meeting of about sixty peers to St. James's for December 21st, and then, having briefly requested them to take steps for the settlement of affairs, he withdrew from the room, and left them to their own counsels. In spite of this ostentatious freedom of discussion, the peers who assembled expressed a preference for Westminster as a place of debate, and resolved, in fact, to reconstitute themselves without delay as the House of Lords. Since most of the judges were out of town, they named five eminent counsel to act as their advisers on constitutional points.

The move to Westminster being immediately followed by the adhesion of thirty more peers, William determined to take a further step towards the restoration of regular government, by summoning all the surviving members of Charles II.'s Parliament, together with the aldermen and councillors of

[1] Some of the writs had actually been issued; but they were recalled by James on the eve of his second flight

London, to St. James's, where he invited them to advise freely upon the best means to effect a speedy settlement. They, following the precedent of the peers, likewise resolved to adjourn to Westminster, and there constituted themselves a House of Commons, with a Speaker. Two days later, on Christmas Day, the peers resolved to address William, advising him to summon a regular Parliament for the 22nd of January, and, in the meantime, to act as Administrator of Public Affairs; similar resolutions were carried in the assembly of Commons on the following day. The Sherlock party made a feeble attempt in both Houses to avoid a final breach with James. In the Lords, Nottingham actually moved that the King, who was still at Rochester, should be addressed to issue writs similar to those which, a few days before, he had recalled, urging, with pedantic accuracy, that no Parliament could be "regular" which was not summoned by a King. In the Commons, Sir Robert Sawyer [1] could not conceive how it was possible for William to act as Administrator without distinguishing name or title—an objection which was overruled by the caustic remark of old Serjeant Maynard, who suggested that if the Assembly waited until Sir Robert's intelligence had solved that problem, it might have to wait long enough. In fact, there was an extremely convenient precedent, of recent date, for the Convention Parliament which the Houses

[1] The objection is sometimes attributed to Sir Robert Southwell, initials only being used in the original report. But, as Macaulay remarks, the point is far more characteristic of Sawyer, who had been a Jacobite Law Officer.

proposed to create, in the similar assembly which had recalled Charles II., and carried out the Restoration. It would have been awkward for the Tories to admit any doubts of the legality of a body which had effected such a glorious achievement, and difficult to argue that a Convention which assembled at the call of William was less powerful than one which had assembled at the call of Monk. Accordingly, it was resolved that the regular machinery should be restored as soon as possible, even though irregular means were used to restore it. And so Letters Missive of William took the place of the regular royal writs; and it is worthy of notice that these, instead of being sent to the sheriffs, as was usual, were directed to the coroners of the counties and the chief magistrates of the boroughs.[1] The elections took place without disturbance; and, on January 22, 1689, the Convention Parliament met to essay its task of settlement.

The very first step taken by each House was suggestive of the ultimate issue of its debates. The Lords chose, as temporary Speaker, the Marquis of Halifax, who, though his well-known nickname of "Trimmer" seemed to negative any decided attitude on the great question of the day, was generally suspected of Whig leanings. His unsuccessful opponent was Danby, the author of the proposal to seat Mary on the throne by hereditary right. In the Commons Henry Powle, or Powell, a well-known Whig, was chosen in opposition to Sir Edward

[1] The sheriffs had, of course, been appointed by James; the coroners and chief magistrates of boroughs were mostly elective officials.

Seymour, the great Tory squire of the west country, in spite of the fact that Seymour had openly welcomed William on his progress to London.[1]

But, whatever acute observers may have augured of the final event, it soon became clear that, at any rate in the Lords' House, the Tories were not going to give way without a struggle. The first business was to provide for the temporary continuance of the administration; and both Houses agreed in requesting William to continue the task which he had so satisfactorily begun. Both Houses seem also to have agreed (for reasons which are not altogether clear) that the actual business of deliberation could not be immediately commenced. But, when the Commons appointed the 28th of January for going into Committee on the State of the Nation, a determined effort was made by the Regency party, headed by Nottingham, Clarendon, and Rochester, to bring on the debate in the Lords on the 25th, and thus to secure the advantage of priority for the plan which they hoped to be able to carry. This scheme was, however, frustrated by a combination of Danby and Halifax, who secured the postponement of the Lords' debate until the 29th. What precisely were Danby's hopes in joining in this manœuvre, it is difficult to say. But the step, formal as it may appear, was really of vital importance; for it practically left the initiative to the Commons' House.

[1] It is of this occasion that a well-known story is related. William, intending to be very gracious to Seymour, said, "I think, Sir Edward, you are of the Duke of Somerset's family." "Pardon me, Sir," replied Sir Edward, "the Duke of Somerset is of my family."

When the 28th arrived, it was clear that the Whig sentiment was in great preponderance amongst the elected representatives of the people. While there was manifested a strong dislike to any expression which could be construed into an admission that James had been deprived of, or forcibly driven from the throne, there was an overwhelming feeling in favour of taking advantage of the situation which James had himself created by his flight. A feeble plea for a Regency put forward by Heneage Finch, and a suggestion by Lord Fanshaw of a further adjournment, were fiercely overruled, and, after a few hours' debate, a form of words, illogical in itself, but acceptable from its very want of logic and clearness, was devised to meet objections of detail. It was resolved, apparently without a division, "that King James the Second, having endeavoured to subvert the Constitution of the Kingdom, by breaking the Original Contract between King and people, and, by the advice of Jesuits, and other wicked persons, having violated the fundamental Laws, and having withdrawn himself out of this Kingdom, has abdicated the government, and that the Throne is thereby become vacant." On the following day, the House also voted, *nem. con.*, "that it hath been found, by experience, to be inconsistent with the safety and welfare of this Protestant Kingdom, to be governed by a Popish prince," and further, in view of the necessary consequences of these two votes, appointed a committee, though not without opposition, to propose such guarantees as should be necessary to secure the laws and liberties of the nation.

Meanwhile, the first resolution had reached the House of Lords, where it was the subject of acrimonious debate. A powerful speech by Nottingham, in favour of the Regency plan, was opposed by the combined forces of Halifax and Danby; but Nottingham's motion, in spite of the significant absence of Sancroft, was only defeated by two votes, all the Bishops present, with the exception of London and Bristol, voting in its favour. An equally stubborn debate upon the apparently academic, but really very practical question of the Original Contract, resulted in a second defeat of the Nottingham party by seven votes. But all the persuasion of Halifax and Danby could not bring the House to agree with the Commons in declaring the throne vacant; and the majority also insisted on denying that James had "abdicated," though they were willing to admit that he had "deserted" the throne. The fact that this vote was put on the 30th of January, the sacred anniversary of Royalists, may have had something to do with deciding waverers.

The following day was observed, by agreement of both Houses, as a day of Thanksgiving for the deliverance wrought by William for the nation. On the 1st of February occurred an incident which at that time, in almost any country but England, would have been the signal for violence, viz., a tumultuous and disorderly petition, in favour of a speedy settlement, by the citizens of London. Then appeared the wisdom of the apparently formal delegation to William of the conduct of affairs during the crisis. William, acting under this mandate, directed the

Lord Mayor to issue his precept to the municipal authorities to maintain order at their peril; and the direction was promptly obeyed. The incident did not in the least interrupt the deliberate conduct of the Houses, the Commons, on the following day, resolving to support with formal reasons their refusal of the Lords' amendments.

The two Conferences between the Houses which followed this resolution are, despite the apparent technicality and tediousness of the debate, well worth a study, though it would be impossible, in the space at our disposal, to trace their history in detail. The Lords having, at the first or formal meeting, adhered to their resolutions, and the Commons having, by the decisive but not overwhelming majority of 131, decided not to accept the Lords' amendments, it was resolved, on the 5th of February, to enter upon a Free Conference, or open discussion, between the two Houses, through the agency of a deputation appointed from each. The list of managers for the Commons included the names of Maynard and Holt, two of the greatest lawyers of the day; of Sir Thomas Littleton and Mr. Sacheverel, whose reputation as debaters long survived in the House; of Hampden, grandson of the great Puritan leader, and equally daring in the cause of freedom, but less cool and judicious than his noble grandfather; above all, of Somers, the rising hope of the Whig party, then at the very outset of his great career, but already admired and trusted. For the Lords, the labouring oar was pulled by Nottingham, Clarendon, and Rochester, all of them, it will be

remembered, identified with the proposal for a Regency, Danby and Halifax remaining judiciously in the background.

It soon appeared that the acrimonious discussion on the use of the word "abdicate" was merely a screen for an uneasy doubt which had been roused in the minds of the Tories by the wording of the last resolution of the Commons. When the latter urged that the throne was vacant, did they mean to imply that the Crown of England was elective? This fatal suspicion, happily for the peace of the nation, leaked out at a comparatively early stage, through the proposal of Nottingham to amend the resolution by declaring the throne vacant only "as to King James." The fiery Sacheverel met the proposal with an emphatic negative; but Somers, eagerly grasping at the chance of a settlement, hinted, in a very judicious speech, that the Commons were in no way anxious to push consequences to an extreme, and would be quite content to solve a practical problem. The opening thus happily made was rapidly extended. In spite of a fierce protest from Clarendon, in spite of the more dangerous unwillingness of the extreme Whigs to give up their claims, Somers held on his course for a compromise; and at length Nottingham wound up the case for the Lords with a very broad hint that a basis of settlement had been reached.

It must not be supposed, however, that the Regency party had been convinced solely by the acuteness of Holt and the judicious temper of Somers. While the dispute between the two Houses had been

going on, two external facts of the greatest importance had occurred. Danby, full of confidence that his plan, for proclaiming Mary Queen by hereditary right, would not fail to commend itself to the person most concerned, sent over to Holland to assure her of his extreme devotion to what he conceived to be her interests. He was staggered to receive in reply a sharp and dignified rebuke, in which he was informed by Mary, that nothing could be more distasteful to her than a plan which would place her in a position of rivalry with her husband, and, in fact, ordered to cease meddling with matters which he did not understand. To the author of the Treaty of Dover, such a letter meant one of two things—either that the writer was an idiot, or that she had some deep-laid scheme which his efforts threatened to cross. But, whilst he was hesitating whether to regard Mary with contempt or admiration, Danby learnt that his letter, together with a copy of Mary's reply, had been put into William's hands, and he saw that his scheme was at an end.

It was now time to dispose of the Regency plan. To this end William himself summoned a few leading politicians to his presence, and delivered his sentiments. His attitude was thoroughly correct. He did not in the least dispute the right of the Houses to adopt any plan which seemed to them best for the settlement of the nation. If they thought a Regency best, he had no wish to oppose their view. But he thought it might save time if he made it quite clear that he would not act as Regent, either for James or for Mary. Danby, who was present

at the meeting, must have looked exquisitely foolish. Having no morals and very little dignity of his own, he had assumed, as fundamental axioms, that Mary would eagerly grasp the Crown, and that William would be only too glad to get anything in the way of power. Though William made no change in his courtesy of demeanour towards him, he must have known that his duplicity was open to the King's eyes, that the evidence of it was possibly at that moment in the King's pocket. He must have felt that the game was up. Every one knew that the departure of William from England must be followed by anarchy, probably by bloodshed. It was quite clear that there was nothing to be done but to proclaim William King, and to get over the legal difficulty with as much decency as possible. Halifax, indeed, declared openly for making William sole monarch; but Mary's honest friends were so indignant at this proposal that Halifax gave way, and it was agreed that William and Mary should be joint rulers, William being entrusted with the actual administration during his life. In the event of Mary having no children, the Princess Anne and her heirs were to succeed on the death of the survivor. If William survived Mary, and had issue by another wife, they were to be entitled after the failure of Anne's issue.

Only one thing more remained to be done to effect a settlement; but this one thing threatened to take time. It will be remembered that the Commons had, on the 29th of January, appointed a committee to draw up proposals for an alteration of the con-

stitution, with a view to the better security of popular liberties and the Protestant religion in the future. On the 2nd of February the committee had reported twenty-three Resolutions, to which the House added five on its own account. It was desired, (1) to declare illegal the exercise of the royal claim to suspend or dispense with the execution of statutes, (2) the existence of the Court of High Commission and others like it, (3) the attempt to levy money without the consent of Parliament, (4) the commitment of people to prison for petitioning the Crown, and (5) the raising or keeping of a standing army within the kingdom, in time of peace, without the consent of Parliament; (6) to sanction the keeping of arms by Protestants for their own defence; (7) to guarantee the freedom of elections and the security of Parliamentary privileges; (8) to provide for the frequent holding of Parliaments; (9) to prohibit the requirement of excessive bail, and the imposition of excessive fines and illegal punishments; (10) to reform the abuses of the jury system; (11) to declare void all grants of fines and forfeitures before conviction; (12) to prohibit marriage with a Papist by any member of the royal family; (13) to compel every occupant of the throne on his accession to take an oath to uphold the Protestant religion, and to reform the Coronation Oath; (14) to declare the Acts concerning the Militia grievous to the subject; (15) to secure a sitting Parliament against interruption while business remained to be done; (16) to shorten the duration of Parliaments; (17) to declare a royal pardon no

defence to an impeachment in Parliament; (18) to protect Corporations against the abuse of *Quo Warranto* proceedings; (19) to secure liberty of Protestant worship and the uniting of Protestants for public worship, "so far as may be"; (20) to modify the construction of Treason statutes, and reform trials for treasons; (21) to give judges security of tenure and salary; (22) to reform abuses in the appointment of sheriffs and the exercise of their office; (23) to abolish prosecutions by way of information; (24) to regulate Courts of Justice and the fees of office; (25) to provide against the buying and selling of public offices; (26) to permit the returns made to writs of *Habeas Corpus* and *Mandamus* to be traversed; (27) to reform abuses in the collection of the Hearth Tax and Excise.

This programme was evidently too comprehensive to be carried out in full before the settlement of the actual crisis. But it is surprising to notice how much of it was achieved within a short time. The first eleven items were immediately embodied in the Declaration of Right, on the acceptance of which William and Mary became, on the 13th of February, King and Queen of England; and these, with the addition of the 12th and 13th, were incorporated into the Bill of Rights passed in full legal form during the next session. Even before that date, other statutes had provided a new Coronation Oath, secured a limited amount of toleration for Protestant Dissenters, and abolished the hated Hearth Money. In 1694 the Triennial Act limited the duration of Parliament to three years. In 1695 a noble statute

reformed the abuses of trials for treason. The Act of Settlement in 1700 provided that no pardon should be pleadable to an impeachment, and gave the judges security of tenure. Although criminal Informations have not been abolished, a statute of the year 1692 destroyed their most objectionable feature, by compelling informers to give security for costs, and allowing expenses to successful defendants. The abuses of sheriff-process were reformed in 1716. Although no great change in the Militia system was effected until 1757, it is probable that the grievances of which the Committee complained in 1689 soon disappeared, as the Militia itself soon sank into decay. On the other hand, the demand for fixed sessions of Parliament died away, as it gradually became manifest that a dissolution might be the most popular of measures; and the demand for security of Corporations was gradually replaced by a movement for their reform. Unhappily, the sale of public offices, though already illegal,[1] continued to flourish with the consent of all parties, until the sweeping reforms associated with the great name of Burke rendered it no longer profitable, and the abuses of the Excise system fell beneath the same vigorous hand. But it is no small testimony to the sagacity of the men of the Revolution, that only in the matter of dissolution of Parliament has posterity

[1] It had been prohibited by statute in 1388, and again in 1552. In 1809 the prohibition was once more renewed, at last with effect. In the early part of the seventeenth century even the saintly Colonel Hutchinson treated the purchase of an office as an ordinary investment of money. (*Life*, p. 67.)

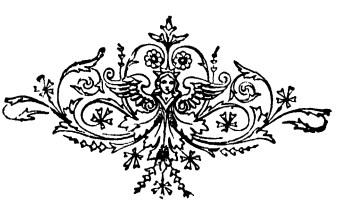
made any change in their policy; and it is doubtful whether anything short of a crisis such as that of 1715 could have justified the passing of the Septennial Act.

The really striking feature of the Revolution is, however, to be found, not in its details, important as these were, but in its general character. However much the defenders of hereditary right and non-resistance might disguise the fact from themselves, however willing their opponents might be to conciliate their feelings, no man could fail to see that those principles had been definitely defeated. The Revolution affirmed, in the most practical way, that disobedience to the law on the part of a monarch entailed forfeiture of the Crown, and that to the nation only did it belong to bestow that Crown elsewhere, and on new conditions. No doubt the nation, unwilling to shock long-established traditions, had sought for a successor to James among his near relations. It would have been criminal folly to do otherwise. But no doubt either can there be that, if Mary and Anne had professed the religion of their father, they also would have been passed over, and a champion sought elsewhere. It may be said that this fact involved no new principle, that Richard II. and Henry VI. had been deposed for incompetency, and Charles I. for treachery. But these changes had been effected by a violence which, in Charles's case at least, had brought swift reaction. Not a drop of English blood had been shed during the momentous events of 1688–9. Without violence or bloodshed, with a

deliberation and a formality which, if they were not technically legal, had at least all the appearance, and much of the reality, of law, the nation had solemnly asserted the doctrine that kings, like other persons, must be held responsible for their actions. It is this which entitles the Revolution to its proud epithet of "glorious."

It is, however, necessary, in estimating the character of the Revolution, to bear one caution constantly in mind. The monarchy which it established was "limited" in the strictest sense of the term; for it was a monarchy in which the Crown was bound by strictly legal limitations. The settlement of 1689 even went so far as to contemplate an actual refusal of allegiance, in the event of a breach by the monarch of its fundamental conditions. It was solemnly provided, by the Bill of Rights, that a profession of Romanism, or even marriage with a Papist, should *ipso facto* disqualify for occupancy of the throne; and the provision remains part of our statute law, though it is difficult to see how it could be enforced by legal methods. But of the modern conception of the monarch as the mouthpiece of the nation, expressing its will through Parliament and the Cabinet, the Bill of Rights gives no hint. There is no allusion in it, even the most distant, to that doctrine of Ministerial responsibility which we now regard as of the essence of English politics. Doubtless Halifax and Somers, and perhaps even Danby, expected to wield a good deal of power, under a master who was necessarily ignorant of English affairs. But in their wildest dreams they probably never aspired to a tithe of the

power exercised, as of course, by the Cabinet Minister of to-day. In one sense, no doubt, William of Orange was well fitted by experience to occupy the position of a British monarch of the nineteenth century. He had for some years been the first magistrate of a confederate republic, in which not merely every state, but almost every city, claimed an independence which we should now consider fatal to security and vigour in administration. But it may very well be doubted whether his experience in that capacity had at all disposed him to play a still humbler part, in a country for which he felt little affection, and which had for him little enthusiasm. His whole attitude during the crisis had negatived such an idea. Whilst professing perfect resignation to the decision of the Houses, he had plainly intimated that, if he stayed, he stayed as a master and not as a servant. That the Revolution of 1688–9 contained in itself the germs of a yet profounder Revolution, no one at the time appears to have seen.





III

THE LAST OF THE OLD ORDER

IT is hardly wonderful that the ship of State sailed uneasily in the years which followed the crowning of William and Mary. The obvious dangers which threatened her were great; the unseen dangers were greater still.

No one, of course, could for a moment suppose that James would accept his defeat with submission. A few miles from the shores of England lay the dominions of a Prince, by far the most powerful in Europe, closely allied by blood and faith with the exiled King; a Prince, moreover, who was notoriously ready to champion the cause of the oppressed, even when there was nothing but glory to be gained by the cause. To Louis XIV. the fall of James was a golden opportunity for personal aggrandisement. The steady expansion of France during the previous thirty years, the intense Royalist reaction after the troubles of the Fronde, the concentrated efforts in various spheres of activity put forward by a series of great French statesmen and warriors—Richelieu,

Mazarin, Colbert, Enghien (Condé), Turenne, Vauban, Louvois — had raised France to the proud position of pre-eminence so recently vacated by Spain ; and the rulers of less successful States were becoming anxious for the security of their dominions. The power of France was all the more dangerous that it was entirely concentrated in the hands of a single man, and that man the King; while the direction which French policy was likely to take had been significantly pointed out by the revocation, in 1685, of the Edict of Nantes. The great obstacle to the success of that policy was no other than William himself, the new King of England, the soul of the Protestant league, who had consecrated his life to the task of opposing the ambition of France ; for he well knew that to that ambition his beloved native land was destined to fall the next victim. It is probable that, if there was one man in Europe whom Louis dreaded, and one man whom more than all others he hated, it was William of Orange. We may easily understand, then, how gladly he welcomed the exiled Stuart, how warmly he espoused his cause, which was the cause of Catholicism, Divine Right, and Kingship, against that of Protestantism, rebellion, and unconcealed rivalry. To William and to Louis alike, it may shrewdly be guessed, the Revolution in England was but a move—important (no doubt), but only a move—in the great game which they were playing. To William it meant an ally of unknown strength : for England had almost ceased, since Cromwell's death, to count in European politics. To Louis it meant a priceless weapon in his diplomatic armoury.

The first fruits of Louis' friendship for James were, of course, the descent on Ireland. In that country there were, alas! the familiar causes of unrest, perhaps in more than usual intensity. The terrible measures of Cromwell had left abiding memories of bitter hostility to the Protestant cause. The corrupt and muddled policy of the Restoration had but added fuel to the discontent; for it had been found impossible to dispossess the Cromwellian settlers, and the wretched country had been again pillaged for the benefit of the returned Royalists. The rigid policy of Anglican orthodoxy had set the seal even more firmly than before on the Protestant ascendency. The commercial and agricultural prosperity of the country had been stifled by the miserable policy which, in travesty of the provisions of the Navigation Act, had first forbidden the importation into England of Irish cattle and other produce, and finally excluded Ireland from the benefit of the colonial trade. It is hardly wonderful, therefore, that there was little sympathy in Ireland with the statesmen who had effected the Revolution, while there was much sympathy with James, as a Catholic who had suffered for his faith. Moreover, the troubles of the last forty years had driven many Irishmen into the service of Louis, James's ally, who was only too glad of such valuable material for his great armies. Consequently, the Irish Catholics were little likely to object to James, on the ground that he was supported by French soldiers.

It is no part of the purpose of this book to tell the story of the Irish campaign. In spite of the heroic

resistance of the Ulster Protestants, affairs went badly for the English interests, until William himself took the field. The evil traditions of Charles II.'s reign had made the army organisation a mass of corruption and inefficiency. James declared openly for a complete Irish policy. Even the Restoration settlement was to be revised: and the hatreds of long years were gratified by a sweeping Act of Attainder. But the landing of William in the summer of 1690 changed the face of affairs. The brilliant victory of the Boyne once more shattered the hopes of James, who fled from what had once been his kingdom, never to return. The stubborn resistance of isolated strongholds terminated with the fall of Limerick in the following year; and, in 1692, the complete victory of Russell over the French fleet off La Hogue wiped out the disgrace of the defeat at Beachy Head, and for the time dispersed all fears of a French invasion.

Whether this rapid relief from its most anxious fears was in truth the best thing for the nation may, however, be a grave question. So long as the country was actually threatened by a hostile force, statesmen of all parties were, in a manner, bound to stand by one another and the new King. Even those who, in their hearts, hankered after the return of James, could hardly have wished to see him return at the head of a victorious invading army. And it was certain that nothing else would cause William to yield. Indifferent to his new acquisition as he (somewhat too openly, it may be thought) professed himself to be, he had the soldier's instinct strong in him. But, with the rolling away of that

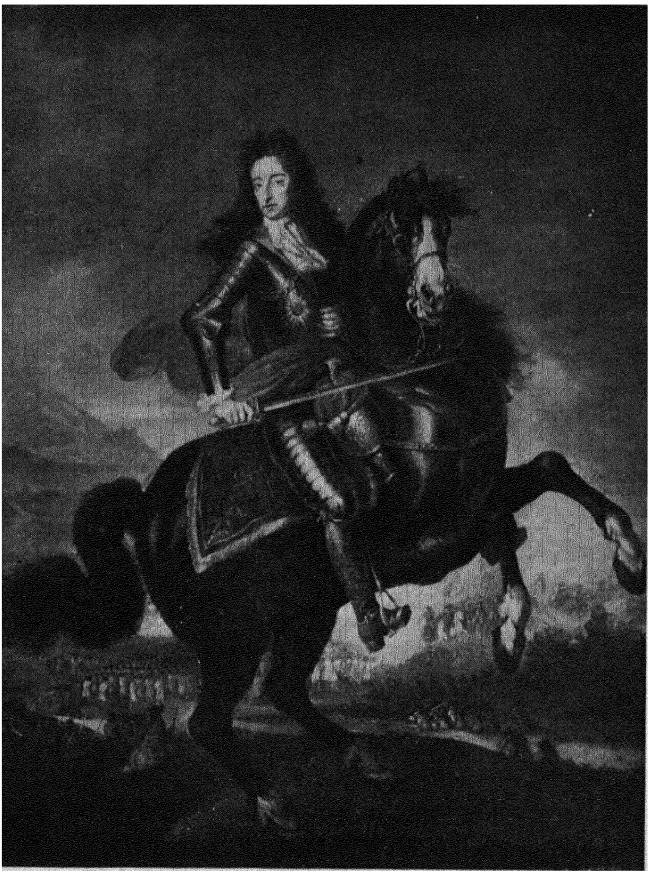


Photo by] [*Walker & Cockerell.*

WILLIAM III. (1650–1702).

Portrait by Jan Wyck, in the National Portrait Gallery.

danger from without, came others, much more subtle and dangerous, from within.

Nor is it difficult to see why these dangers arose. For, all unknown to themselves, the men of the Revolution had destroyed, at least for a time, an impalpable but important factor in the working of English politics. William of Orange was incomparably the ablest ruler who had worn the Crown of England since the death of Elizabeth. He was, moreover, in spite of his somewhat repellent manners, a thoroughly upright, God-fearing, and even kind-hearted man. If his domestic morals were not so free from reproach as those of Charles I., they certainly had nothing to fear from a comparison with those of James I. and his two grandsons; and as certainly few of the English nobility of his day could afford to point the finger of scorn at him on that account. His personal bravery none could dispute. The blood royal of England ran in his veins; while his wife, who shared his throne, was actually the daughter of the deposed King. And yet, in spite of all this, he failed to win that feeling of personal loyalty which, as England was governed then, was essential to the smooth working of government. It may seem almost monstrous, that the men who would have accepted as unquestioned gospel the silliest remark of James I., or the most extravagant pretensions of his son, should have cavilled at the reasonable wishes of William; but such undoubtedly was the fact. For good or for evil, the mystery of romance which for centuries had hung around the throne, and sanctified the person of the monarch, was

gone ; and with it one of the most powerful agencies of government. It is idle to point out, that the theory of Divine Right, which supported James and opposed William, implied a divine sanction, not merely for the rights of a particular family, but for the feudal rules of descent which vested the rights of that family in a particular person. Such arguments of logic are powerless against the elusive working of the imagination ; and imagination, as every practical statesman knows, is one of the most powerful factors in politics, if not the most powerful. The Restoration which seated Charles II. on the throne had been enormously popular, because it had appealed to the national imagination ; the Revolution aroused little enthusiasm, because it appealed only to the national reason.

This is really the key to the domestic troubles which broke out immediately after the coronation of William and Mary, and lasted, with little intermission, until William was laid in his grave. The King, though his heart was, doubtless, in his great foreign schemes, set out with an earnest desire to do his duty by his new subjects. His first Ministers were chosen with rigid impartiality from all possible shades of political opinion. Nottingham's open advocacy of the Regency scheme did not bar his way to office ; he was made Secretary of State, with Shrewsbury, one of the most distinguished of the young nobility, as his colleague. Danby's bad record did not prevent him obtaining that recognition of his political importance to which his representative position entitled him. He was made President of

the Council. To Halifax William owed, perhaps more than to any other man, his triumphant position; but Halifax had to be content with the minor office of Privy Seal. The great office of Chancellor was refused both by Nottingham and by Halifax, who had the sense to admit that their professional knowledge was not equal to the task. It was accordingly put into Commission; and three lawyers of eminence (the first of them Serjeant Maynard) were appointed to execute it. A similar course was followed with the Treasury and the Admiralty; but the commissionerships were exclusively filled by well-known Englishmen. Even the places in the Household, with one single exception, were given to Englishmen, though William might well have claimed that his domestic officials should be his own countrymen. In the Privy Council Bentinck was the only foreigner who obtained a place. In the appointment of judges, William went far beyond anything that an English monarch had previously yielded to popular feeling, by placing the selection entirely in the hands of the Privy Council; and the honourable example which he set had the happiest consequences. None of the misdeeds of the Stuarts had been more fatal to the cause of liberty than their treatment of the law courts. From the accession of William and Mary dates the proud and almost unbroken record of integrity and dignity on the English judicial bench. Finally, the abilities and the character of Somers secured for him, in spite of his youth, the important office of Solicitor-General.

The King's treatment of his enemies was as lenient

as his choice of Ministers was constitutional. Several of the Bishops, and many of the clergy, refused to take the oath of allegiance, even though that oath had been recast in such a way as to make the smallest possible demand upon tender consciences. It will hardly be contended that it was beyond the right of Parliament to prescribe such an oath to men in the position of the Bishops, who, as peers of Parliament, were personally called upon to take part in the councils of the State. Yet there is some evidence that William offered to use his influence to induce Parliament to dispense even with the oath, in the case of prelates who were willing to exercise their public spiritual functions in a peaceful way. Even when this generous offer was rejected, the King steadily maintained an attitude of forbearance, and sternly refused to allow the extremer Whigs to resort to drastic measures. He could not, in the face of the recent Act of Parliament, treat the non-juring prelates as bishops; but for two years he allowed them to remain in their palaces, and declined to fill their vacant sees. It is more than probable that, but for the express words of the statute, he would have allowed the non-juring parish clergy to retain their livings, in spite of the fact that the policy of exacting the oaths of allegiance as a condition of holding ecclesiastical office was at least eighty years old. No personal proceedings were taken against the ejected clergy, even though many of them were strongly suspected of corresponding with James, and though they certainly consorted with notorious Jacobites. Nor was William's lenity confined to

the clergy. He had not been a year on the throne, when treason of the most unquestionable kind was brought home to Clarendon, Dartmouth, Preston, the Bishop of Ely (Turner), Ashton, and Elliott. Preston and Ashton, who were taken in the very act of carrying treasonable despatches to France, were, after trials of scrupulous fairness, condemned to death; and Ashton was executed. Preston turned King's evidence, and may, therefore, be said to have bought his life rather than owed it to William's forgiveness. But Clarendon was pardoned, Dartmouth would, probably, have received the same indulgence if he had not died in prison, Turner was allowed to escape before apprehension, Elliott was never brought to trial. No general proscription was set on foot, though the plot was known to be of wide extent; and, from first to last, in spite of the grossest provocation, William never allowed himself to be betrayed into vindictiveness against his enemies.

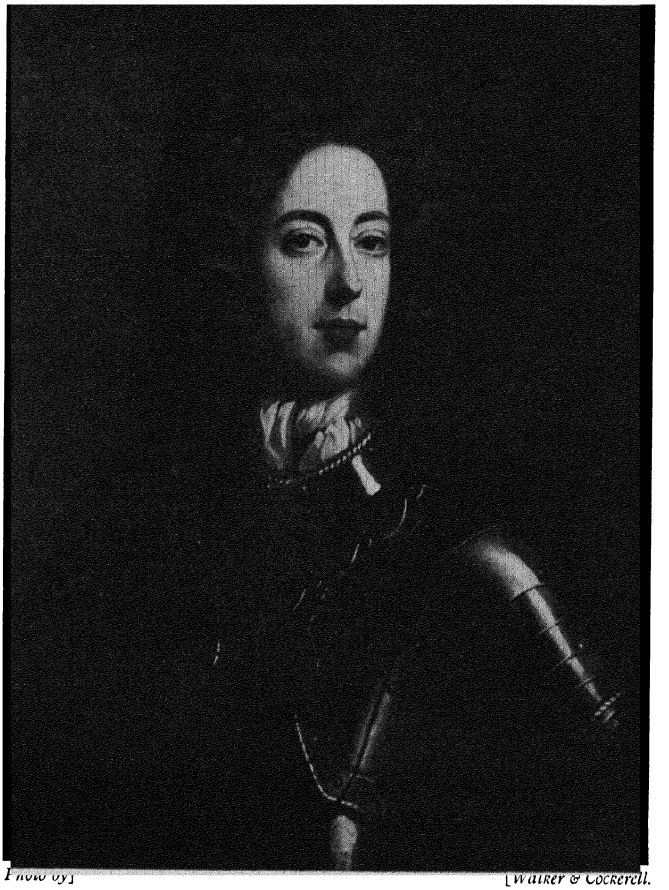
But no sense of gratitude or shame restrained the quarrels and turbulence of Ministers, Parliament, or clergy. The vivid pages of Macaulay reproduce for us some of the choicest examples of clerical indecency which his unrivalled knowledge of the literature of the time discovered. The insults heaped on William's new Primate, Tillotson, a man of pure, almost saintly life, were so gross, that they speedily drove the Archbishop into his grave. The non-juring Primate, Sancroft, behaved with the peevishness of a spoilt child; and did his best to render the work of the Church impossible. The smaller members of

the faction lost no opportunity of heaping insult upon their indulgent monarch. Some even travestied the sacred offices of the Church in their desire to gratify their spleen. The most odious feature of this conduct was the fact that it was often shared by men who had not sufficient courage to refuse the oaths, and who were thus guilty of a double perjury. For the four hundred resolute Jacobites who gave up their livings at the call of what they believed to be their duty, we can have but respect, even though we may deem them mistaken. But for the cowards whose consciences merely impelled them to plot against and slander the King whose sworn subjects they were, there can be nothing but contempt.

The officials of the State were no whit behind the officials of the Church. Danby, though he seems to have been faithful to the Revolution settlement, stained the high office which he held by the grossest and most shameless corruption. Nottingham and Shrewsbury, the two Secretaries of State, made William's life a burden to him by their constant quarrels ; and Shrewsbury, in mere pique at what he believed to be disregard of his advice, allowed himself, whilst actually holding the seals of office, to be drawn into a treasonable correspondence with James. Mordaunt and Delamere, Whigs as they both were, could not work together at the Treasury Board, except when they were attacking Godolphin ; and Godolphin, though he was entrusted with the most vital secrets of State, was justly suspected of treason. Marlborough, who was loaded with honour by William, not only did his best to create an irrecon-

cilable feud between the King and the Princess Anne, the next heir to the throne, but actually betrayed military secrets to James. Russell, the responsible head of the naval administration, not content with the immense emoluments of his office, and the lavish bounty which had bestowed on him a pension of £3,000 a year, long hesitated on the brink of treason; and, when he finally decided against the risk, solaced his impeccable virtue with a series of fractious complaints and quarrels, which did much to destroy the results of the splendid victory of La Hogue.

But surely, if the clergy were insolent and Ministers unfaithful, William might expect support and confidence from that Parliament which had bestowed upon him the Crown, and whose care for the liberty of the subject he had honestly and cheerfully recognised? Unhappily, neither Peers nor Commons seem to have had any appreciation of the gravity of the situation. The Whigs were bent on persecuting the Tories; the Tories were bent on denouncing the Whigs. It proved actually impossible to turn the Declaration of Right into a statute during the first session of the Convention. Godolphin moved to insert a new clause reserving the hereditary rights of the Protestant members of James's family; and, when the Commons refused to agree, the Lords maintained the proposal, and the Bill was lost for the session. Thus the very fundamentals of the Revolution were imperilled. Although, in the first fervour of their gratitude, the Commons voted supplies for a war against France, they refused to pass the Abjuration Bill and the Bill for a General



[Photo by] [Walker & Cockerell.

THE GREAT DUKE OF MARLBOROUGH (1650–1722).
Portrait by Closterman, in the National Portrait Gallery.

Pardon, in spite of continual reminders by the King of the urgent necessity for the healing of old sores. They were perhaps right, though their motives were suspicious, in refusing to accord a formal sanction to the new practice of publishing the Votes of the House; but they were clearly wrong in quarrelling with the law courts for venturing to question the validity of their orders in matters affecting the liberty of the subject, and they were fractiously unreasonable in compelling William to allow inspection of the records of the Privy Council. At the beginning of the year 1690 William, in despair, dissolved the Houses; but the step only added to the dangers of the time. For the new House of Commons, which met on March 20th, contained a strong Tory majority; and it became an open question whether the Revolution settlement could stand.

In his despair, the King determined on two steps. One of them will seem to us the most natural in the world, and, perhaps, was not very distasteful to William; the other can only be justified by extreme public danger, and William loathed it from his soul.

When it became clear that the new Parliament would be strongly Tory, the King determined to conciliate it by getting rid of his Whig Ministers. Halifax retired, probably at his own wish; and Danby, a strong Tory, became the most powerful official of the State. Mordaunt and Delamere were ejected from the Treasury; and Sir John Lowther, a great Tory squire, became First Lord, and ostensible representative of the Court in the House of

Commons. For some reason, never decisively explained, Godolphin, Tory as he was, also quitted the Treasury; but the Whig Torrington was replaced as First Commissioner of the Admiralty by the Tory Pembroke, and Wharton and Sacheverel resigned from the Board. It has been hinted that, in making these changes, William did no particular violence to his feelings. Though he may be said to have owed his Crown to the Whigs, though he was constantly loyal to Revolution principles, he was, in all probability, no more of a Whig than any other ruler of his day; and he probably preferred the Tory creed, if he could win the friendship of those who professed it. There lay the rub. Could William secure the loyalty of the Tories, merely by giving office to their leaders?

Apparently, William thought not. For there was grave doubt whether the rank and file of the party would swallow the change of policy, whether they would not rather take the opportunity of their victory at the polls to act according to their genuine feelings. It could not escape a man of William's penetration that, in the House of Commons especially, there lay a grave danger of revolt. The House had been gradually learning its strength. It could not but feel that it had made the Revolution, that its conduct in the last few months had put the King to the extreme hazard of a dissolution, that in the power of the purse it held a terrible weapon over the head of a ruler to whom his Crown was valuable chiefly because it promised him the chance of carrying out his great Continental schemes, the first necessity of which was a liberal supply of funds.

With a hostile House of Commons, the dream of William's life must have for ever remained unfulfilled.

And so the King resolved to obtain by corruption what he could not hope to win by honest persuasion. In Danby, now, as has been said, his chief Minister, he found a tool ready to his hand. The man who had acted as go-between in the scandalous treaty of 1678, by which Charles II. had sold his country and his allies to the French, who had accumulated in a few years of office a fortune sufficient for the support of a dukedom,[1] was not likely to scruple at the purchase of votes in the House of Commons. But it was necessary that the delicate negotiations of the bribery market should be actually carried out by an agent in the House itself; and Danby was, of course, a peer. He selected as his mouthpiece for the purpose one of those unscrupulous men of whom a few have in every age disgraced the honourable profession of the law. Sir John Trevor, member for Yarmouth (Hants) in the new Parliament, had owed his start in life to the kindness of a relation, who had a respectable practice at the bar, and who allowed his needy kinsman the run of his chambers. Such an opening was all that was required by the acute and unscrupulous youth. With the keen instinct of the carrion crow, he had specialised in gambling, and soon became such a proficient in the law relating to that dubious calling, that his opinion was eagerly sought by disputants in the many quarrels which

[1] Danby was made Marquis of Caermarthen in 1689, and Duke of Leeds in 1694.

arose in connection with it. His shining merits had naturally attracted the notice of Jeffreys, then rapidly rising into office as the unscrupulous tool of Charles and James. Trevor became a bosom friend of the Chancellor, whom in vigour of vituperative epithet and capacity for drinking he was said soon to equal, if not to surpass. Needless to say, no scruple of conscience prevented him setting up as a rival of his distinguished patron; and it was the opinion of many shrewd observers that, if James's reign had lasted but a year or so longer, he would have ousted that patron from the woolsack. As it was, he had become a King's Counsel, then Master of the Rolls, finally, Speaker of the House of Commons in the Parliament of James. Though, naturally, somewhat under a cloud in the Convention Parliament, in which he appears to have gained a seat only by the generosity of Maynard, he had had the courage, in company with another notorious hireling, Sir William Williams, to defend the practice of bribery at elections. He was, therefore, perfectly fitted, by experience and reputation, to essay the unsavoury task of corrupting his fellow-members; and, that he might be able to do his work the more efficiently, Lowther was instructed, as representative of the Government in the House, to propose his re-election as Speaker. It is no credit to the House that, even with such a recommendation, it elected Trevor without a protest, and thus delivered itself over to an influence which many of the members must have known was of the most degraded kind. Determined not to do things by halves, Danby, two months later,

procured the substitution of Trevor for Maynard in the post of First Commissioner of the Great Seal; and, in 1692, on the death of Powell, Trevor was reappointed to his old office of Master of the Rolls, thus filling the two inconsistent positions of superior and subordinate judge in the Court of Chancery.

If William had not shrunk from the hard necessity of stooping to measures which he loathed from the bottom of his soul, he had at least the satisfaction of finding that the desperate remedy had been effectual. The opposition to the Government ceased as if by magic. The King's regular revenue was settled upon terms which, though they did not in all respects please him, he was fain to admit were generous. The hereditary revenues of the Crown were declared to belong to him and Mary as of right. The moiety of the Excise which, at the Restoration, had been settled on Charles II. as a compensation for the loss of the feudal dues, was continued to William and Mary for their joint lives and the life of the survivor. The Customs duties were only granted for a term of four years, on the plea that a grant for a fixed period afforded a better security to the Government creditors than a grant for lives which might drop at any moment. William, not unnaturally, complained that it was hard that he should be less trusted than James, who had the Customs for life; but was soothed by the representation that it was not he, but his successors, whom the Commons did not trust. A sum of £1,200,000 was voted for the immediate necessities of war in Ireland and against France. After some little jangling about words, a Bill was

passed to confirm all the proceedings of the Convention Parliament, and to remove any doubts which might exist about the legality of its existence. Part of the bargain with the Tories had been a new Commission of Lieutenancy for the City of London, formerly the great stronghold of the Whigs ; and the Commission received the formal approval of the House, which refused even to admit the sheriffs, who came with a petition against it. It is true that the Abjuration Bill, after being read a second time, fell on the motion to go into Committee ; but the representatives of the Government did not press the measure, and it is more than doubtful if William really wished it to pass. Finally the Pardon Bill, which William did undoubtedly desire, at last came through the Houses ; and the King was able to set out for Ireland with a reasonable hope that England would remain undisturbed during his absence. Before departing, however, he prudently prorogued the Parliament. He also appointed a Council of Nine to assist the Queen, who, by a special Act of Parliament, had been named Regent during his absence. But the fact that, in this Council, the great political parties were almost equally represented, seems to show that the modern conception of Cabinet Government was, despite the success of the new expedient, as far from William's mind as ever.

For some time, however, the effects of the experiment continued to be felt. The brilliant success of William's campaign in Ireland counteracted the depression produced by the defeat of

Torrington at Beachy Head. On his return to England, the King found himself, for the first time, really popular. The autumn session of 1690 was a halcyon period of calm. The legislative product of the period consisted of fifteen statutes. No less than five of these were Money Acts, granting in all a sum of £5,000,000 (an enormous sum in those days) towards the royal necessities. Of the remaining ten, half were measures of a distinctly "government" character, such as the two Acts for prohibiting trade with France, the Militia Act, the Mutiny Act, and the Act passed, in view of Torrington's approaching trial, for strengthening the position of the Admiralty Board. One very significant and important measure, it is true, appeared to show some distrust of the Administration. This was the Act which appointed a body of Parliamentary Commissioners to inspect the Government accounts. Unhappily, no record of the debates on this measure survives; and we are, therefore, somewhat at a loss to discover the motives which prompted it.[1] But there is no reason to suppose that the Houses were actuated by anything more than ordinary prudence in requiring an account of such a vast expenditure as they had authorised; and there is no evidence that William was at all offended by the measure, as Charles II. had been on a similar occasion. Encouraged, on the other hand, by the new spirit of friendliness, the King determined to continue his new policy, by calling Godolphin to the position of First Lord of the Treasury, Lowther

[1] It is even possible that the measure was introduced by Lowther himself.

being provided for elsewhere. Inasmuch as Shrewsbury had resigned the Secretaryship of State earlier in the year, the new appointment meant a gain of two places to the Tories. But, once more, we must be careful not to lay too much stress on the move; for Shrewsbury's place was, at the end of the year, filled by the appointment of Sidney. And Sidney, if he had any political feeling at all, was a Whig.

Again, however, in the session of 1691, the old spirit began to reappear. The cost of the French war was growing with frightful rapidity; the results hardly seemed equal to the charge. The war in Ireland was at an end; but the demands on the country's purse were as heavy as ever. The unofficial Tory members began to realise that they were being sold by their leaders, and that the plausible speeches in support of Lowther's proposals came from men who had received places and pensions at Trevor's suggestion. The Report of the Commissioners of Accounts appointed in the previous year contained startling items. Unhappily, it has not come down to us in its original form; but we know that it led to plain speaking. The House demanded details of the vast sums allotted to "secret services." It was told that the only person capable of giving the information was Jephson, the Secretary of the Treasury, and that he was just dead. The Commissioners were fain to confess that no regular accounts had been drawn up by the Exchequer for thirty years past; the Treasury officials made the lame excuse that their neglect was due to an unwillingness

to give the bankers, whom Charles II. had cheated, a legal claim against the State, by admitting liability in an official document. The practice of exacting percentages by way of fees in the public offices had grown up in the last few years, and the sudden increase in the expenditure had enormously increased the incomes of the officials. Many of them were members of the House of Commons, and thus had a direct interest in voting the taxes on which they afterwards received a percentage. Sir John Lowther was indignant at being told that he was "gagged by offices"; and, no doubt, to a man of his wealth, the mere profits of his official posts were unimportant. But it was perfectly true that, since he had been manager for the Crown in the House, his attitude on political questions had considerably changed. He even ventured to question the right of the House to inquire into the distribution of the secret service money. The House waxed indignant, and ordered the Commissioners to make a full return of salaries, pensions, and fees. Alarmed by this attitude, and thinking to strengthen their hands, the Government induced Sir Edward Seymour to join the Treasury Board. But the only result was to destroy Seymour's influence in the House.

The hostility to the war and the system of Ministerial corruption came from the independent Tories. But the Whigs were not slow to see a chance of recovering their lost ground. During the anxiety of the previous year, the question of criminal trials had been prominent. Though Preston and Ashton had been treated with scrupulous fairness, as the law

then stood, it was felt that the law itself required alteration. Historically speaking, a prosecution for crime was a mere examination by royal officials of a person already accused by the testimony of his neighbours. According to medieval ideas, there was little doubt of such a person's guilt. He was not entitled to the privilege of a defendant in a private action. No copy of his indictment was furnished to him; for he was supposed to have heard the accusation of the grand jury. He was entitled to "challenge" or object to a certain number of the petty jury by whom he was to be tried; but he could not demand to know, before the trial, the names of the jurors, and he was therefore unable to make any previous inquiries as to their character. He was not entitled to be represented by counsel, unless a point of law arose upon the pleadings. He could not compel witnesses to undertake the dangerous part of testifying against the Crown. In the two previous reigns the royal officials had shamefully abused the powers which the survival of these ideas had placed in their hands. The trials of Stafford, Algernon Sidney, and Lord Russell had been little less than judicial murders; and, in Sidney's case, even the wholesome rule which required two witnesses to prove a charge of treason had been scandalously evaded. The pleasantries of Scroggs and Jeffreys on such occasions were fresh in men's memories; and, in spite of the wholesome purging of the judicial bench, the demand for the improved tenure of the judicial office had not yet been granted. The Whigs now brought in a Bill to regulate trials for treason; and

the measure received the approval of the independent Tories. But the Ministerial supporters talked about "embarrassing the Government"; and, by playing skilfully on the susceptibilities of the peers, who preferred to believe that their special privileges were being attacked, very nearly produced a fatal quarrel between the Houses. Bills were introduced to regulate salaries and reduce the fees of offices; but the Government managed to procure their rejection in the Lords. When, at the beginning of the year 1692, a further demand of money was made on behalf of the Crown, even the Tory members suggested that highly paid officials might well contribute a handsome subscription out of their salaries. Gradually the indignation of the independent members concentrated itself upon the support of two measures, one for the exclusion from the House of Commons of all persons holding offices or pensions from the Crown (usually known as the "Place Bill"), the other, the Triennial Bill, for limiting the duration of Parliament to three years. The object of both measures was, of course, the same; for a member whose seat was only secure for three years, was, naturally, less valuable as a supporter of the Ministry than one whose vote could be reckoned on for an unlimited time. The debates on these measures were long and heated; and at last the King, in his despair at the fatal illness of Mary, accepted the Triennial Act, though he resolutely refused to give his consent to the Place Bill.

The conduct, both of the Government and the Opposition, at this crisis, warns us that we must still

look upon the Cabinet system of administration as a plan which had not yet been accepted by political leaders of the day. Had Lowther and his friends regarded themselves as dependent upon the support of the House of Commons, they must have resigned when the two Bills were carried in the teeth of their strongest protests. Had the Whigs regarded themselves as the exponents of such a system, they would never have urged measures which, as they must have seen, would have been fatal, or almost fatal, to its success. In so far as the principle upon which such system must be based was understood at all, it was regarded with dislike by both parties. "All debates should be in Council, now all things are huddled up," said Sir John Thompson, the Tory member for Gatton. Howe, who was then an extreme Whig, if not a Republican, attributed the rejection of the Place Bill to "parties in Council."

Nevertheless, the inexorable logic of circumstances seemed to be bringing about this result. The Whigs stoutly protested that their measures were directed, not against the King, but against the King's Ministers. They were, really, far more in sympathy with William's personal views than were William's own servants. They approved of the French war, on which William's heart was set; they hated, as he did, the exclusive pretensions of the Established Church. During the sessions of 1693 and 1694 they had coalesced into a well-disciplined force, under leaders of great ability—Somers, who was made Lord Keeper in 1693, Russell, the victor of La Hogue

Wharton, the prince of wire-pullers, Montagu,[1] the founder of the Bank of England, whose great financial talents had given him, though a Whig, a seat at the Treasury Board, even when the Tories predominated. In the following year came the exposure of those corrupt practices, the existence of which had so long been suspected. Danby, now Duke of Leeds, was convicted of gross corruption over the renewal of the East India Company's charter. Trevor, the organ of corruption in the Lower House, was proved to have received a bribe of a thousand guineas to forward a private Bill promoted by the City of London—a Bill, moreover, which seems to have perpetrated a gross injustice at the expense of helpless poverty. He had to submit to the unique disgrace of putting, as Speaker, the vote for his own condemnation. Further inquiries led to the revelation of a wholesale system of corruption. Nottingham, Sir Thomas Cooke, and Sir Basil Firebrace were implicated in the East India scandals. The management of the army was equally corrupt. Several regimental agents were committed to the Tower for embezzlement. Colonel Hastings was cashiered. Three of the Hackney Coach Commissioners were removed for corruption; and Henry Guy, Jephson's successor in the perilous post of Secretary to the Treasury, was sent to prison.

[1] On the extinction, in 1700, of the titles of the Marquis of Halifax (Savile), William, with thoughtless disregard of the perplexities of the future student of history, created Montagu Baron Halifax. The new baron was made an earl in 1714, but he never acquired the title of Marquis.

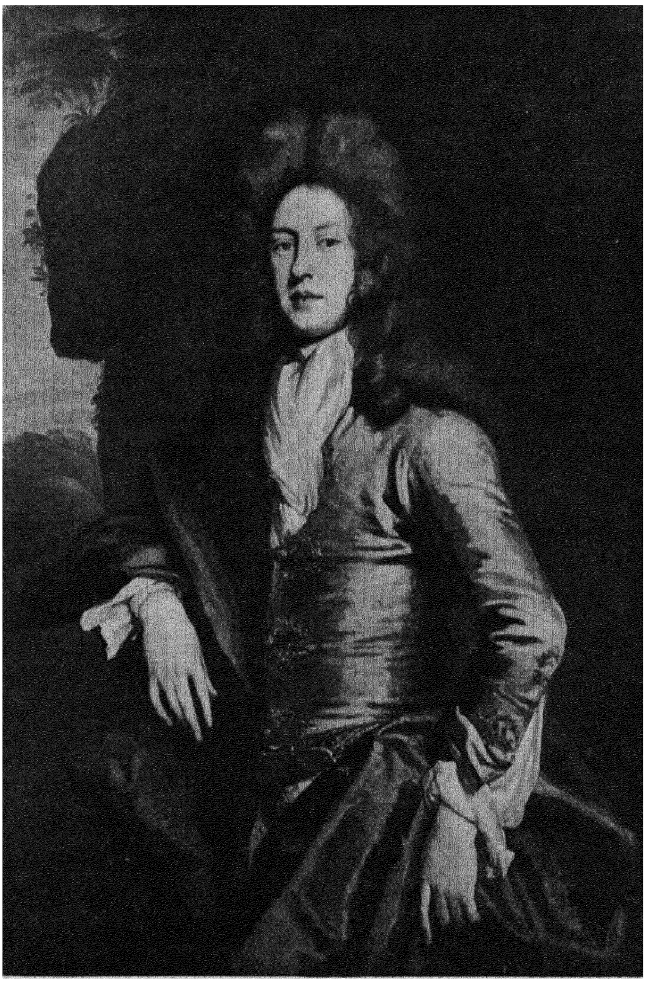


Photo by] [*Walker & Cockerell.*

CHARLES MONTAGU (HALIFAX) (1661–1715).

Portrait by Sir Godfrey Kneller, in the National Portrait Gallery.

It is to this crisis, if we are to accept the general view of historians, and to the advice of the elder Sunderland, that we owe the definite adoption of the Cabinet system of government. The claim is so startling, and so inherently improbable, that it is worth while to devote a little time to the examination of it.

In the first place, it may be pointed out that, of all men in the world, Sunderland appears to have been the least likely author of such a suggestion. His political career proves him to have been a mere office-seeker of the most unscrupulous type. He made his entry into politics by the degrading process of courting Charles's mistresses. His special patron was the Duchess of Portsmouth; and, when her influence did not succeed in procuring for him the honours and rewards which he deemed to be justly due to his merit, he had no hesitation in coquetting with the supporters of Monmouth, and even furthered the negotiations with the Prince of Orange. His zeal for Protestantism induced him to vote for the Exclusion Bill; but, in the reaction which followed the Popish Plot, he changed completely round, and, on the accession of James, openly declared himself a Catholic, having first, with devilish heartlessness, procured the apostasy of his eldest son, by way of experiment. He was darkly suspected of having ensured the doom of Monmouth, his former friend, by treachery of the most fiendish kind; and it is quite certain that he accepted bribes from the French King to betray his country. But he could not even be true to his new masters. While he was actively supporting the worst

excesses of Popery and arbitrary power, he was actually engaged once more in correspondence with William; and, in order to shield himself from suspicion, he did not scruple to prostitute his own wife to his own uncle, then British Ambassador at the Hague. Of all the political figures of the age, he is the most treacherous, the most hypocritical, the most scandalous, the most utterly despicable.

And yet it is true that, before the year 1695, Sunderland had returned to England from that voluntary exile which, at the Revolution, alone saved him from the just vengeance of the men whom he had duped and betrayed. Presuming upon William's mildness of temper, he had, in defiance of his express exclusion from the Act of Pardon, slunk back into the House of Lords, and even into the palace. It is, unhappily, true that William condescended to listen to his advice; and it may be true, that Sunderland recommended to the King to admit more Whigs into office. But for such advice there was a very obvious and personal reason. Sunderland was despised and disliked by the Whigs; but the Whigs did not thirst for his blood. They had never trusted him; and his evil conduct in James's reign had but strengthened their cause. Moreover, he had rendered powerful direct services to William at the time of the Revolution; and, odious as these services were, no Whig could deny their value. But by the Tories, and, still more by the Jacobites, Sunderland was loathed and hated; while to James himself he was that most abhorred of all creatures, an apostate from Romanism. His life would not have been worth a day's purchase

if a turn of the wheel had restored the Stuarts And Sunderland knew enough to fear that a Tory Ministry might end in the recall of James.

Moreover, there is little in the actual events of the period which justifies the contention that it marks the inauguration of Cabinet government. A mere enumeration of the chief official changes during the years 1693–5 is enough to dispel the suggestion that the doctrine of Ministerial responsibility was accepted by the King. There was much shuffling of offices in the spring of 1693. As we have said, Trevor was rewarded for his unclean services with his old post of Master of the Rolls, then vacant by the death of his rival, Powell. Russell was dismissed from the Admiralty; and the Admiralty Board, when reconstituted, included the unquestionably Tory names of Lowther, Killegrew, Delaval, and Rich. On the other hand, the great Whig leader, Somers, was made Lord Keeper at the same time; and the Tory Nottingham was replaced, as Secretary of State, by the Whig Trenchard. A similarly impartial redistribution took place in the following year. Russell was, it is true, restored to the Admiralty; and Fox and Montagu, both strong Whigs, received places at the Treasury Board, Montagu being, soon afterwards, made Chancellor of the Exchequer. But the Whig proclivities of Montagu and Fox at the Treasury were more than counterbalanced by the presence of Godolphin, who did not retire till 1697; and even the scandalous revelations of 1695 did not prevent Danby retaining the great office of Lord President of the Council. In truth, as

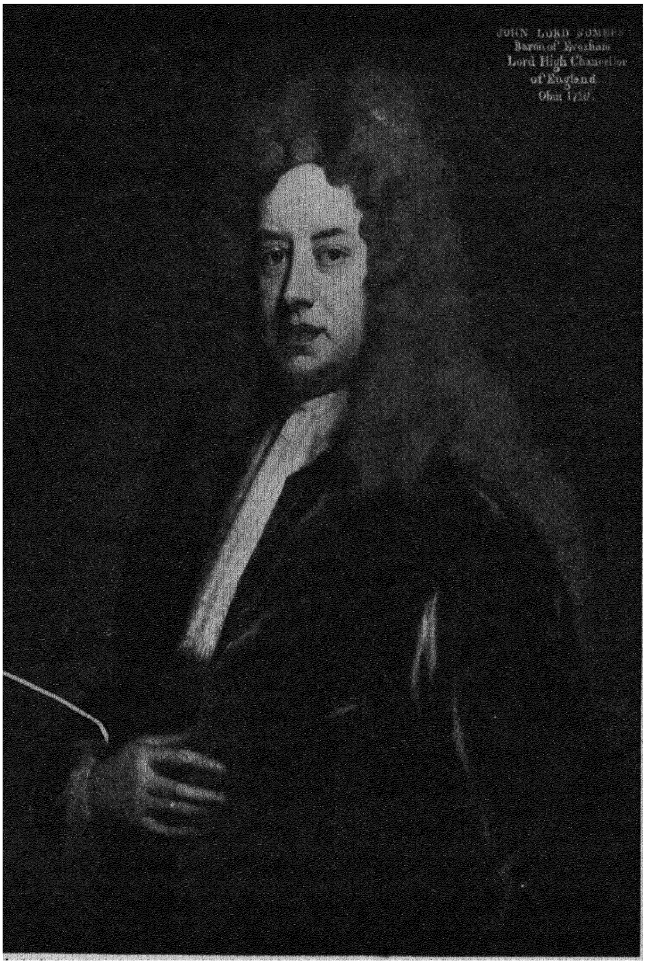


Photo by] [*Walker & Cockerell.*

LORD SOMERS (1651–1716).

Portrait by Sir Godfrey Kneller, in the National Portrait Gallery.

Burnet puts it, "the King studied only to balance them, and to keep up among the Parties a jealousy of one another, that so he might oblige them all to depend more entirely on himself."

It must, in fact, be admitted, that William never did become, never could have become, a constitutional ruler in the modern sense of the term. It was impossible that a man of his commanding ability and high character should allow himself to be the mere mouthpiece of men whom, for the most part, he must have both despised and disliked. He might have accepted such a position if it had been offered to him at the outset; though that is unlikely. If he had accepted it, he would have played the part correctly; for faithfulness to his engagements was one of William's strongest qualities. But, as has been pointed out, no tradition of English politics, much less any formal rule of the Constitution, prescribed such a course to the monarch whose throne William assumed: and he was the last man in the world to create such a situation. His ear was always open to the advice of any Englishman whose position entitled him to give advice; but he reserved to himself the right of decision. Not even to the Houses of Parliament would he yield, unless his judgment concurred with that of the Houses. In his view, the King was as much an essential part of Parliament as the Houses themselves—or rather, as he would, perhaps, himself have put it, the King can act without Parliament, but Parliament cannot act without the King. And no responsible statesman could possibly have contended, in those days, that William's view was wrong.

The balance of power in the Constitution, after long inclining towards the Crown, was then trembling on the needle; but it had not yet dipped decisively towards Parliament. The event which was definitely to mark the change was the death of William himself.





IV

SIGNS OF CHANGE

THE tendency to exaggerate the antiquity of a favourite institution is deeply seated in human nature. How often have we not heard of the Parliaments of Henry II., of the municipal corporations of Domesday, of the universities of King Alfred? To analyse the causes of this tendency would be a useful task; but this is not the place for the exercise. Here we must only be on the watch to prevent the distortion of the truth by a similar tendency.

The danger is the greater that, as we have already seen, certain important elements in the system of the future had shown themselves at least as early as the reign of Charles II. But the point is, to distinguish between the elements which are merely important, and those which are essential. No doubt it is important to the working of the Cabinet System, that the Cabinet should be composed of men of one way of thinking. But it is not essential. Many vast concerns are administered, and successfully administered, by committees and councils in which there are

strong differences of opinion. It is only necessary that the minority shall, in each case, loyally accept the decision of the majority. No doubt it is very important that the Ministry of the day should be in accord with the sentiment of the House of Commons, although, as a fact, that principle was but imperfectly grasped before the time of William's death. But it is quite conceivable, and has sometimes happened in recent years, that the House of Commons may tolerate a Ministry of which it does not really approve, because it sees no chance of obtaining a better, or because it does not wish to be dissolved. No doubt, again, it is important to the smooth working of the Cabinet System, that the King should not be present at the meetings of Ministers. But it is perfectly possible to imagine a monarch so impartial, so tolerant, and, it may be added, so patient, that his presence at Cabinet Councils would be no restraint in the freedom of discussion. The only absolutely essential features of the Cabinet System are (1) that the Cabinet should be composed mainly (if not wholly) of the actual occupants of great political offices; (2) that the supreme conduct of the national administration should be in the hands of the Cabinet. Without the other features, Cabinet government might be difficult, but it would not be impossible. Without these two latter it would not be Cabinet government.

This brief analysis will, perhaps, serve to show the mistake of those writers who date the commencement of the present system at any time before the death of William. It is not the want of knowledge, but the lack of the critical faculty, which has caused

the error. Delighted to recognise in the reign of Charles II. certain of the obvious features of the Cabinet System, they have not stopped to consider whether these features are in themselves sufficient to constitute the system. Struck by the similarity of names, they have not asked themselves with sufficient care whether these names represent similar institutions. The word "Cabinet," for example, is familiar to all students of our literature from the days of the Elizabethan dramatists onwards. But at first it means almost anything except that which we understand by the term. And we are here concerned with things, not with words.

Judging, then, by the facts, we shall not have great difficulty in realising, from the details of the foregoing chapters, how far the evolution of the Cabinet had proceeded at the close of the seventeenth century. The existence of strongly marked parties had drawn statesmen together into two fairly permanent groups. It was comparatively easy to say of a prominent politician, whether he called himself a Tory or a Whig. He might really be a Jacobite; but he would still call himself a Tory, because it was safer. He might really be a Republican; but, for a similar reason, he would call himself a Whig. Further than this, the reigning monarch was beginning to discover that, on the whole, he was likely to be better, that is, more pleasantly, served, if his chief servants were at union amongst themselves. William, at least, was rather doubtful whether the calm produced by such an union was not somewhat of the nature of the calm which precedes the storm; but even he was inclined

to hope for the best. Finally, it was also slowly appearing, that a Ministry which commanded the confidence of the House of Commons was able to do very much more for the King than a Ministry which did not. But no English monarch had as yet admitted, either in theory or in practice, that he was bound to change his Ministry at the bidding of the House of Commons.

And, beyond and above all, no English monarch, and least of all William of Orange, had ever admitted that he was bound to obey the advice of his Ministers against his own judgment. It is odd that there should be any doubt upon this point; for this was the precise position which William had resolutely refused to accept in 1688, and the whole of his conduct showed that he adhered to his original resolution. We have seen that when William went to Ireland in 1690, he appointed a strong Council, which was, undoubtedly, intended to direct the policy of the State during his absence. What was this but to say, that he regarded Mary as on a different footing from himself in the conduct of affairs? When he returned, the Council was dissolved. What was this but to announce that the policy of the kingdom was once more in the hands of the King? No doubt William, on more than one occasion, gave way against his judgment; but it was simply as a matter of diplomacy, to gain some weightier end. If Parliament would not vote him money, he could not carry on that war against France upon which his whole soul was set; and therefore he was willing to give way on a minor point if Parliament would grant him money. But,

if he could have secured funds elsewhere, he would no more have hesitated to declare war against the wishes of his Ministers than he would have abstained from going hunting without their permission. Over and over again he refused to follow the wishes of the party in power. Though the Triennial Act was won from him at a moment of deep personal distress, he steadily refused his consent to the Place Bill. He declined to sanction a policy of persecution against Dissenters, when such a course would have been highly popular. He took the advice of counsellors who had no sort of constitutional position, men like Bentinck, Zulestein, Albemarle, Auverquerque; and did not hesitate to prefer it to that of his Ministers. He negatived the Bill to fix the judges' salaries, for very good reasons, as Macaulay has shown. He negatived the mischievous Elections Bill of 1696. Even his willingness to fall in with the famous suggestion attributed to Sunderland affords no proof of his acceptance of the Cabinet theory of government. As he had very few preferences among his English Ministers, and as he did not intend to be governed by any of them, it cost him little to try an experiment which might bring him some good, and certainly could do him little harm. Had William been keenly in sympathy with either political party, and yet consented to form a Ministry from the other, the case would have been different. But it is notorious that, except on one or two points, he was a Gallio in English politics.

In truth, the critical period in the evolution of the Cabinet System was, not the last half of the seven-

teenth century, but the first half of the eighteenth. We may even draw the limits still closer. At the accession of Anne, the Cabinet System was a dimly formed project; at the death of George I., only twenty-five years later, it was an accomplished fact. This is, of course, only another way of saying that, in the conduct of Anne and her successor, we ought to find, if our views are correct, that attitude towards their own office which is alone compatible with the existence of Cabinet government.

It has been, no doubt, the fashion for historians to underestimate the capacity of Queen Anne; and a recent essayist has done good service by protesting against the tendency. He has shown that, on one occasion at least, the personal resolution of Anne effected a change of Ministry. In the year 1710 the Whigs, notwithstanding their majority in Parliament, were dismissed, and replaced by Tories; and the change was, undoubtedly, the personal act of the Queen. But, in truth, the crisis is really a striking example of the change which had come over the spirit of English politics since the death of William. If the Queen could have had her own way, the Tories would never have been out of office at all. Her ability was shown by her apprehension of the fact that the Whigs, though victorious in Parliament, had ruined themselves in the eyes of the country by the prosecution of Sacheverel, and that they were, consequently, at her mercy. Her act was, therefore, in the modern sense of the word, "constitutional." She appealed from Parliament to the country, and, thereby, fulfilled what is admitted to be the supreme

duty of the monarch in a system such as ours, viz., to interpret aright the feelings of the nation. But it is necessary to be more precise.

At the death of William III. there were in existence a Whig House of Commons and a Ministry of the old type, that is to say, a Ministry which contained members of both political parties. According to ancient usage, both would have expired with the death of the King; but by a recent statute it had been provided that, on the demise of the Crown, the existing Parliament should continue in office for six months, unless sooner dissolved. The Queen had, therefore, a perfectly free hand; and she speedily showed her preference by entrusting to Tories the chief posts in the State. Godolphin was given the great office of Lord Treasurer. Rochester, the Queen's uncle, whose removal from the post of Viceroy of Ireland had been determined upon, but not completed, by William, was continued in his seat. Wright, the unworthy successor of Somers, continued to hold the Great Seal, though only as "Keeper." The High Tory Nottingham was made Secretary of State, with Hedges, his nominee, as his colleague. The Queen's husband, Prince George of Denmark, presumably a Tory (though he secretly sympathised with the aspirations of the Nonconformists) became Lord High Admiral. Above all, Marlborough, now, by means of his wife's influence over the Queen, a very important personage, was created Captain-General of the Land Forces; and, at this time, he was certainly a Tory. Almost the only Whig of any weight retained in office was



Photo by] [*Walker & Cockerell.*

LAURENCE HYDE, EARL OF ROCHESTER (1641–1711).

Portrait by Sir Godfrey Kneller, in the National Portrait Gallery.

Devonshire, who, moreover, had only the non-administrative post of Lord Steward of the Household.

The enthusiasm with which the accession of the Queen was received enabled the Tories to strike another blow at their opponents. In her first speech to Parliament, which had certainly been prepared for her by her Ministers, the Queen spoke of her heart as being "entirely English." The Whig House of Commons took the expression as reflecting on the memory of her predecessor, and resented it freely. Warned of the temper of the Commons by this incident, the Queen, so soon as the Civil List had been voted, dissolved Parliament, and the elections of the autumn returned a strong Tory majority.

Thus was at once created the most favourable possible conjunction of circumstances for the introduction of the Cabinet System. The Queen, though, as has been admitted, by no means a cipher, was by nature lethargic and unsuspicious. With a strong sense of private duty, her public activity was inclined to restrict itself almost wholly to Church matters. In these she found only too ardent a support from her Ministers, to whom she was, in consequence, ready to leave the management of secular business. Of William's deep feeling of responsibility in political affairs, his firm devotion to justice, his profound knowledge of European diplomacy, she had absolutely nothing. Strong in their knowledge of the Queen's favour, and confident in their majority in the Commons, the Ministers felt their power, and determined to use it.

Two matters of first-rate importance had been the

care of William in his dying moments. One of them was the war with France. The act of Louis XIV. in recognising, on the death of James II. in 1701, the claims of his son, the "Old Pretender," to the Crowns of England, Scotland, and Ireland, had roused the nation to an enthusiasm for the Revolution which William had in vain sought to inspire; and the King had died, happy in the thought that his long-cherished plans would bear fruit at last. Even the Tories, lukewarm as they had long been on the subject, shared the national feelings; and Marlborough, whose instincts were at least as much professional as political, took care that there should be no wavering. On May 4, 1702, war was formally declared against France and Spain, and the Captain-General departed on his fateful mission to the Low Countries, destined to be the theatre of a long and tragic struggle. The Whig Parliament had, of course, ardently supported the war; and even the new House of Commons had followed suit. Here, at least, there could be no turning back.

The other object of William's desire was equally important, and even more unquestionably wise. He had long viewed with anxiety the relations between England and Scotland. The natural attachment of the northern kingdom to the Stuart cause, the ancient connection between Scotland and France, were perhaps the features of the situation which impressed themselves most strongly upon him. The action of the Scottish Parliament at the time of the Revolution had been critical. The massacre of Glencoe and the failure of the Darien scheme had stirred up bitter

hostility against England. No provision corresponding with the Act of Settlement had yet made any provision for the Scottish succession in the now probable event of the death of Anne without issue. In the deep-seated differences between the two countries in the matter of Church government William saw grave cause for alarm.

So manifest was the necessity for action that, even before the change of Ministers, the Queen had committed herself to it in her first speech to Parliament. Her new advisers, whatever their private feelings, did not venture to go back on this announcement; and, before the Whig Parliament was dissolved, they brought in a Bill to appoint Commissioners to treat of a Union. The Bill was, of course, passed; but it was remarked that many of the Tories offered it a strenuous opposition, and, though they did not succeed in defeating it, they rendered its chances of success precarious by the intemperate bitterness of their reflections on the Scots. The conduct of the new Ministry was equally foolish. They procured the dismissal of William's Scottish representatives, and replaced them by their own nominees. The Duke of Queensberry was made Secretary of State and High Commissioner, the Marquis of Annandale President of the Council, Lord Tullibardine Privy Seal, Lord Seafield Chancellor, and Lord Boyle Treasurer. Most of these men, though they had submitted to William's government, were avowed Jacobites, who prided themselves on their opposition to the Revolution; and the only question with them was, how far they would follow the directions of the

English Ministers, and how far endeavour to carry out an independent Jacobite policy in Scotland. So openly were the principles of the Revolution derided by those in authority, that the Episcopalians, and even the Jacobites, felt confident of a restoration to their privileges, so soon as the Scottish Parliament should assemble.

This event took place at the beginning of May, 1703, and the dangers of the situation were at once manifest. Although the Estates passed a Bill to recognise the personal title of Anne,[1] the recognition was grudgingly worded. But when the Ministers introduced a Bill of Toleration, which would have recognised the legal status of Episcopacy, a furious opposition, headed by Fletcher of Saltoun, at once broke out. Not only was the Toleration Bill defeated, but a new confirmation of the Presbyterian Settlement of 1689 was exacted from the reluctant Government, and then, flushed with their victory, the Opposition proceeded to bring in a drastic Act for the Security of the Kingdom. This measure, with a skilful appeal to the national fear of absorption, was aimed at imposing upon the future occupants of the throne a series of restrictions which, if enforced, would have converted the government into that of a Republic. Annual Parliaments were to be compulsory, and the power of dissolution was to be abolished. For every new peer created, an addition was to be made to the representatives of the Commons in the Estates. The royal right of veto was to be reduced

[1] This had been rendered necessary by the passing of the Scottish Claim of Right in 1689.

to a mere form. The decision of peace and war, and the appointment of all public offices, civil and military, were to belong to Parliament, without whose consent not a single regular soldier could be maintained, nor any pardon granted. The judges were to be excluded from Parliament, and all *ex-officio* votes in the Estates abolished. With great astuteness, the framers of the Bill inserted a clause restricting its effect to monarchs who should also be Kings of England; and thus secured the adhesion of those whose patriotism was stronger than their Toryism. Some even of the Ministers were believed to be favourable to the measure, and a significant discussion upon the possibilities of a Regency, in the event of this chosen successor being under age, showed the way in which some men's thoughts were turning.[1] It was, of course, hardly possible that sincere Protestants, as most of the Scottish Whigs unquestionably were, should have seriously considered the possibility of a Catholic monarch; or that any real cordiality should exist between them and the Jacobites. But, in the meantime, the co-operation of the two parties placed the Government in an awkward position; for the Bill was actually carried on August 13th by a majority of 59, and, when the High Commissioner announced that the Queen refused her consent, the Whig leaders fiercely denied the royal power of veto,[2] and the session was terminated by the High Commissioner without a vote of Supply.

[1] The Pretender was at this time only fifteen years old.

[2] This claim was by no means so extravagant as it sounds, but there was an awkward Act of 1660 against it.

The Scottish Estates did not assemble again until July of 1704, and, the necessity for Supply being really urgent, the supporters of the Act of Security resolved to carry their measure by tacking it to the Money Bill. Realising the hopelessness of their position, the Government at last gave way, and the Act of Security received the royal assent. Even this surrender, however, only produced a six months' Supply. As for the prospects of Union, these appeared further off than ever, and indeed Burnet accuses the Ministers of having definitely abandoned the measure.

Meanwhile, the real energies of the Government had been devoted to the furtherance, in the English Parliament, of the famous Occasional Conformity Bill. This measure was intended to put an end, in the interests of the Established Church, to a practice in itself bad enough, but the blame of which lay at least as much upon those who imposed it as on those who made use of it. The iron scheme of Anglican intolerance laid down by Clarendon at the Restoration, had excluded from royal and municipal office all who refused to take the sacrament according to the rites of the Church of England. Many Nonconformists had steadily resisted all temptation to comply with a requirement against which their consciences revolted. But many others, of laxer principles, had consented to receive the Anglican Sacraments in order to qualify for office. The Test had, in fact, become a mere form. But now the Tories determined that the bonds of sectarianism should be tightened. The Occasional

Conformity Bill, which, though it was not formally introduced by a Minister, was strenuously backed by the whole weight of the Government, provided that a person who had qualified for office by taking the Sacrament, and afterwards been present at any religious service conducted otherwise than in accordance with the rites of the Church of England, should forfeit £100 for the offence, pay a fine of £5 a day so long as he continued to hold office, and be incapable of employment for at least a year after conforming to the requirements of the Test and Corporation Acts.

It will be noticed that the framers of this measure had none of the excuses which, in the eyes of some thoughtful historians, go far to justify the original promoters of the Test and Corporation Acts. Clarendon and his colleagues had thought, and perhaps rightly, that the Dissenters were, as a body, opposed to the restoration of Charles II., and that their continuance in office would be a real danger to the State. The framers of the Occasional Conformity Bill knew well that the Protestant Dissenters, against whom the Bill was notoriously directed, were firmly attached to the Revolution settlement, under which Anne occupied the throne. The party whose loyalty was really doubtful was the very party which urged on the measure. It was, in fact, a pure piece of religious and political persecution, hypocritically disguised under the cloak of an affected reverence for the ordinances of the Church. The men who evaded the antiquated provisions of the Test and Corporation Acts by the formal compliance with the statutory

provisions were always Dissenters and usually Whigs. That was sufficient, in the eyes of the Church and Tory party, to mark them out for ostracism.

The Bill rapidly passed the Tory House of Commons by large majorities, but received a severe check in the House of Lords, where the Whig peers and several of William's bishops succeeded in introducing substantial amendments. A conference between the Houses followed ; but no agreement was arrived at, and the measure dropped for the session. In November, at the opening of the new session, it again rapidly passed through the Commons, but was again, as summarily, rejected by the Lords. The feeling between the Houses rose high, and eventually, in the spring of 1704, culminated over an event which excited great interest at the time, and which (though its importance in that respect has been overlooked), was of considerable consequence to the future of the Cabinet System.

At the beginning of the seventeenth century, the Commons had successfully vindicated their right to be the sole judges of disputed elections to their own body. The achievement was one of the earliest of the victories of Parliament over James I., and it was a real step in the direction of freedom. But, with the growth of the Party System, it soon became obvious, that election decisions were no whit more impartial in the House of Commons than they had been in the royal Chancery. The more powerful party simply voted for its own candidate, in spite of the clearest evidence, or, better still, influenced

the returning officer to refuse the votes of electors known to be unfavourable to itself.

An example of the latter practice had recently occurred. At the elections in January, 1700, one Matthew Ashby had tendered his vote at the Aylesbury poll, and it had been refused by the returning officer, the Mayor, apparently on no good ground. Instead of petitioning against the return, Ashby took the novel step of bringing an action against the Mayor for violation of a common-law right. He thus transferred the decision of the question from the House of Commons to the County Assizes. Here he was successful in obtaining a verdict for damages; but the Court of Queen's Bench in London, with whom it rested to pronounce judgment, refused, against the opinion of Chief Justice Holt, to follow the verdict. Therefore Ashby appealed to the House of Lords, not as a House of Parliament, but as the supreme appellate tribunal of the kingdom; and the Lords, by a large majority, reversed the judgment of the Queen's Bench, and ordered judgment to be entered for Ashby.

It will be observed that this decision did not directly infringe the privileges of the House of Commons. Ashby's vote was, for that election at least, irrevocably lost; and, had the question subsequently come before the House of Commons as an election petition, the House would have been legally entitled to disregard the judgment. But it obviously threatened to make the misconduct of returning officers a costly offence, even when countenanced by the party in power; and it manifestly threw upon

the Commons the responsibility for a partiality which they would fain have shifted elsewhere. It may be well admitted, that the dual position of the House of Lords, as a branch of the legislature and also the supreme common-law tribunal, was an anomaly. It was, however, an anomaly which had grown up with the Constitution ; and it ill became the party which professed to regard the ancient order with almost superstitious reverence, to attempt the violation of an ancient rule.

But party spirit knows no logic, and, chafing at its rebuff over the Occasional Conformity Bill, the House of Commons flew upon the decision in the Aylesbury case, determining to treat it as a breach of privilege. As it could not well be denied that, if the question of Ashby's right to vote was triable by the ordinary tribunals, the appeal to the House of Lords followed as of course, the Commons were under the necessity of repudiating altogether the jurisdiction of the ordinary tribunals in such cases. This was a particularly difficult position to take up, for, no longer than eight years before, an Act of Parliament had expressly declared the right of a duly elected candidate to recover damages against a returning officer for a false or double return. Swallowing the inconsistency, however, and ignoring some admirably reasoned protests against the course proposed, the House, after a prolonged sitting, adopted a series of five resolutions, which declared Ashby's action to be a contempt of the jurisdiction of the House, and threatened him, and all others who should follow his example, with the consequences of breach of privilege.

Not content with these steps, the House sounded the note of defiance by ordering the resolutions, signed by the clerk, to be affixed to Westminster Hall Gate. The Lords could not submit to such an affront, and ordered a Committee to search for precedents, with the result that the Upper House passed a series of counter-resolutions affirming, in temperate language, the common-law rights of the subject, and declaring, with undeniable force, the claims of the Commons to be, in effect, a manifest attempt to assert a vote of that House to be superior to the law of the land. Encouraged by this action, five other persons, whose votes had likewise been rejected at the Aylesbury election, commenced proceedings against the returning officer; whereupon the House of Commons, upon its reassembling in the autumn of 1704, committed the "Aylesbury Men" (as the new suitors were called) for breach of privilege, and, upon their application for enlargement on *Habeas Corpus*, the Court of Queen's Bench refused to interfere. Thereupon the prisoners applied for a second Writ of Error, which would have once more brought the question before the Lords; but, though the granting of such a writ was a mere formal preliminary to the appeal, the Commons took the extreme step of petitioning the Queen to refuse it, alleging the extraordinary reason, that they had been liberal in voting the supplies demanded by the Crown. Not content with this outrageous defiance of the principles of justice, the House went still further, and committed to the custody of the Serjeant-at-arms two of the counsel who had appeared for the Aylesbury Men. Meanwhile, the

High Tories in the Commons had made a third and desperate attempt to push through their favourite Occasional Conformity Bill, by tacking it to a Bill of Supply; and, though they failed in this extreme proposal, the Bill was once more carried and sent up to the Lords, who, however, notwithstanding the presence of the Queen at the debate, again rejected it by a decisive majority. Other quarrels between the Houses arose, and, finally, the Ministry were glad to escape from an intolerable position, by advising the Queen to prorogue Parliament, with the unpleasant prospect of having to face a General Election with greatly impaired popularity.

A still greater danger to the stability of the Ministry lay in the fact, that a division had already appeared in its own ranks. Marlborough and Godolphin cared very little for the Anglican enthusiasm of Nottingham and the High Tories; their main object was the successful prosecution of the war. On the other hand, Nottingham and his friends were but lukewarm on the subject of the war, which they regarded as a Whig legacy bequeathed by William. The feelings of the two sections had become embittered as early as 1704; and the influence of Marlborough's wife was sufficient to turn the scale against the men whom her husband accused of starving the campaigns. Greatly to his chagrin, Nottingham's offer of resignation had been accepted by the Queen, and his place, and that of Rochester, who had retired in a private quarrel in 1702, had been taken by Harley and St. John. The latter, though undoubtedly Tories, were, in 1704, not of

sufficient importance to cause serious anxiety to Marlborough and Godolphin. The change was immediately followed by the brilliant victory of Blenheim, the greatest land achievement of English troops since the day of Agincourt. The nation became enthusiastic over the victor, whose affection for his Tory friends had not been increased by their refusal, in 1702, to adopt the Queen's suggestion that a pension of £5,000 a year should be settled upon him for the support of his new dukedom. Marlborough and Godolphin gradually drew towards the Whigs, whose support of the war was genuine and hearty; and they only awaited the result of the elections to declare themselves openly. The elections took place in the summer of 1705, and the Whigs secured a substantial majority, as was proved by the struggle over the Speakership which took place immediately on the assembling of Parliament, and in which the Whig candidate, Smith, was victorious over Bromley, the Tory member for Oxford University, by a majority of 43 votes. The blow was immediately followed up. Wright, the Tory Lord Keeper, was dismissed, and his place taken by Cowper, the leader of the Whig party in the House of Commons. Even more significant than the appointment was the fact that it was negotiated through the veteran Whig statesman, Montagu, now Baron Halifax. In the following year (1706) the younger Sunderland, a strong Whig, became Secretary of State. Thus, though Harley and St. John retained their offices until 1708, the Cabinet became practically Whig; for Godolphin and Marl-

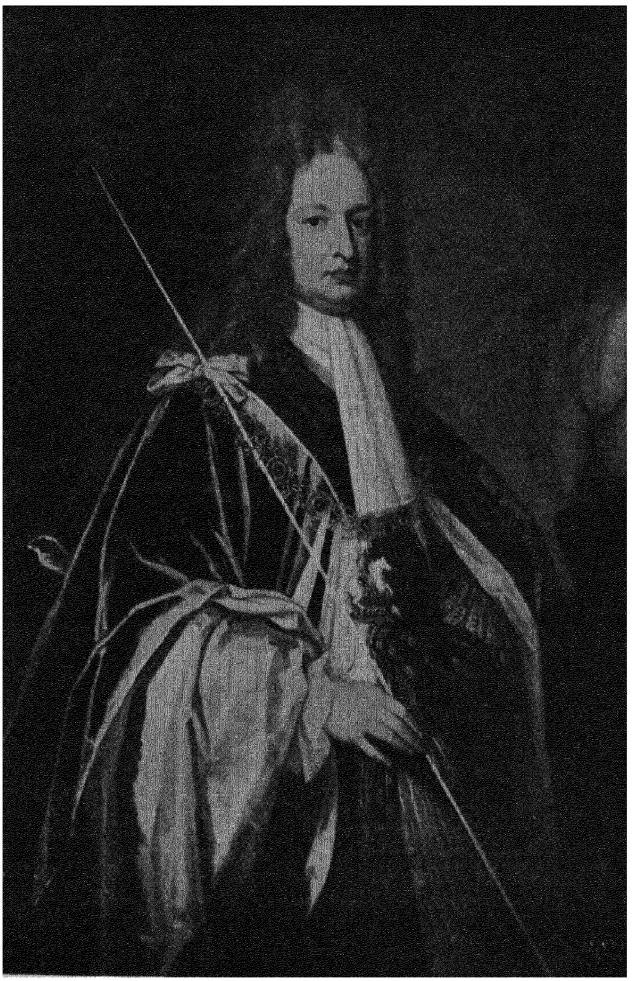


Photo by] [*Walker & Cockerell.*

ROBERT HARLEY, EARL OF OXFORD (1661–1724).

Portrait by Sir Godfrey Kneller, in the National Portrait Gallery.

borough must now be reckoned to have broken decidedly with their former allies.

If an exact date be fixed for the commencement of the Cabinet System, the year 1705 has far greater claims than any which preceded it. The change of policy was complete. The Queen wrote in a private letter, that "Rochester and Nottingham had so behaved themselves that it was impossible for her ever to employ them again, *and that she looked for support from the Whigs.*" The first part of this sentence sounds of the old days, when the personal feelings of the monarch were the sole avenue to high office. But the latter clause is eminently suggestive. It must have been very hard for Anne to write such words. In spite of the personal influence of the Duchess of Marlborough, the Queen remained a convinced Tory to the end of her days. It can scarcely have been anything less than the force of public opinion, as manifested by the elections, which caused her to take the unpleasant step.

Almost immediately afterwards, there occurred another event of the greatest importance in the history of the Cabinet System. One of the first cares of the new Government, after the meeting of Parliament in the autumn of 1705, was to introduce a measure for the further security of the Hanoverian succession. The chief object of the measure, which was initiated with great solemnity in the House of Lords, was to arrange a careful plan for the dangerous crisis which would inevitably occur if, at the death of the Queen, her destined successor were not within the kingdom. The Bill was specially entrusted to the

judges to be drafted; but, when it reached the Committee stage in the House of Commons, an important amendment was proposed by the Tories, in alliance with a section of the Whigs which had not been altogether satisfied with the recent changes in office. When, in the year 1700, the death of the little Duke of Gloucester, the last survivor of Anne's numerous children, had rendered the question of the succession acute, even the Tory Parliament of that year had admitted the necessity for providing a Protestant successor in the too probable event of the failure of the Revolution dynasty. But, as the price of this concession, it had demanded the enactment of several clauses intended to guard against a repetition of the evils which it alleged to have been practised in the reign of William. It was, accordingly, provided, in the Act which settled the succession on the House of Hanover, that, after the accession of that House, no occupant of the throne should leave England without the consent of Parliament, that no foreigner should hold office or receive grants from the Crown, that no war should be entered upon by England on behalf of the foreign dominions of the monarch, that the judges' commissions should be made *quamdiu bene se gesserint*, and that they should be paid by fixed salaries instead of by fees, that all business properly belonging to the Privy Council should be there openly discussed and the resolutions thereupon signed by the members assenting thereto, and that no person holding office under or receiving a pension from the Crown, should be capable of sitting in the House of Commons.

It was this last clause which the Tory opposition in 1705 desired to modify; but there is little reason to believe that the desire arose from any other source than the conviction, that the framers of the Act of Settlement, in their zeal against William, had incurred the grave risk of rendering the House of Commons permanently inferior in power to the House of Lords, which had long been, and seemed likely long to be, predominantly Whig. For, if the holders of important political offices were not members of the Lower House, it was pretty certain that they would be members of the Upper; and the centre of political business would therefore be permanently lodged in the House of Lords.

The Opposition in 1705, accordingly, bent all its energies to modify the clause in question, and succeeded in carrying in Committee an amendment to the effect that the acceptance of any of a list of specified posts—comprising, in fact, the most important political offices in the Ministry—should not disqualify for membership of the Commons.[1] The Lords, on the return of the Bill, not unnaturally objected to the form of the amendment, on the ground that, in effect, it claimed that the offices in question properly belonged, as of right, to the Commons. They were not, however, unwilling to make some concession, and suggested that the exclusion should be limited to persons holding *new*

[1] Burnet, in his "History" (vol. ii. p. 434), states the Commons' amendment in precisely the opposite way; but the above is the account in the Journals of the House, and Burnet's statement renders the argument of the Lords unintelligible.

offices—*i.e.*, offices created after the date of the Act —and to pensioners. They also proposed to repeal entirely the clause of the Act of Settlement which required the discussion of business in full Privy Council and the signature of resolutions, on the ground that no one would care to be a Privy Councillor on those terms. There was a good deal of discussion between the Houses, but, ultimately, the Lords' proposals were adopted, with the additional proviso that, though all acceptance of office should vacate seats, yet that the occupants of *old* offices should be capable of re-election.

Thus Parliament arrived at the famous compromise, upon which the working of the Cabinet System rests at the present day. The abolition of the Privy Council clause rendered secret meetings of the Cabinet possible, and reduced the full Privy Council to a merely formal position. The partial restriction on the presence of officials in the House of Commons prevented the unlimited acquisition of influence in that House by a Government willing to create new offices; and prepared the way for that modern system by which, undisturbed by the Ministerial changes, the vast majority of Government officials enjoy permanent tenure of their posts. The re-election clause, though apparently important, has never been of any real value; for a Government with a majority in the House of Commons can always find a seat for a rejected official, and a Government in a minority has either to resign or to appeal to the constituencies.

Were it not for one fact, we could hardly hesitate

to assign the passing of the Act of Security as the date which finally established the supremacy of the Cabinet System. By this enactment the last legal obstacle to the introduction of that system was removed, and the machinery of which the system is at the present day worked was brought into existence. But the curious fact remains, that in all the contemporary records of the period there is scarcely a hint that the significance of the change was understood. We have seen (p. 116, note 1) that even so intelligent a critic as Burnet grossly mistook the character of the Commons' amendments. He could hardly have done this if a definite policy had been involved in the measure; for Burnet himself took part in the debates in the House of Lords. There is, indeed, just one passage in the reasons assigned by the Lords, which seems to hint at a foresight of consequences. Their lordships allege that "had these privileged officers been excepted for the necessary information of the House (of Commons), one or two of a sort, or of each Commission, might have been sufficient." This passage certainly points to that connection between the Ministry and the House of Commons which is one striking feature of the Cabinet System; but it does not recognise (and, indeed, the House of Lords would certainly have declined to admit) that the real centre of administration must rest in the Lower House. And, for the most part, the arguments used in this famous discussion, so far as they survive, are of a purely personal and partisan type. Looked at from the standpoint of historical criticism, there is nothing to show that the statesmen

of 1705–6 realised that they were preparing the way for a profound revolution in the system of government. And yet they were, in truth, entering upon a course, which was to influence the future of politics throughout the civilised world.



V

THE SYSTEM OF WALPOLE

THE man whose name will be for ever associated with the establishment of the Cabinet System in England was Sir Robert Walpole. He joined the Ministry[1] precisely at the date when, by the dismissal of Harley and St. John, the first genuinely Whig Cabinet was formed, and the possibility of Cabinet government established. When he quitted public life, thirty-four years later, having held high office during most of the intervening period, the Cabinet System had become, mainly through his agency, a part of the Constitution.

The qualities which led to Walpole's rapid promotion and success are in themselves suggestive of a changed order of things. Hitherto the chief recommendations to a political career had been Court favour, the possession of great hereditary rank and wealth, and, in a few cases, of which that of Somers is the most conspicuous, striking political talent.

[1] He had been appointed a member of the Council of Prince George of Denmark, Lord High Admiral, in 1705; but the post was of small importance.

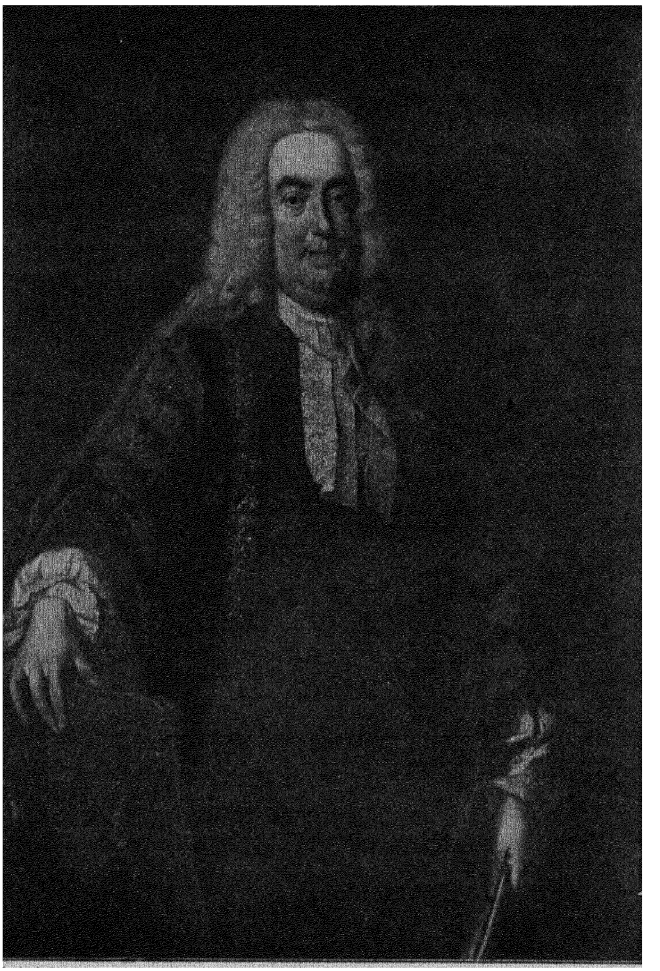


Photo by] [*Walker & Cockerell.*

SIR ROBERT WALPOLE (1676–1745).

Portrait by J. B. Van Loo, in the National Portrait Gallery.

Walpole had none of these. In spite of his address, he was never really a Court favourite. His manners were coarse and abrupt, and he was too good a Whig to be personally acceptable to rulers who still believed in the divine sanction of prerogative. Though his birth was respectable, and his income sufficient to enable him to live hospitably, he could make no claim to rank with great noblemen whose ancestors had been for generations prominent figures in the State, and whose houses rivalled the palaces of kings. Though a ready and powerful debater, he had none of the eloquence which imposes respect, even on opponents, and none of the commanding intellect which compels the reluctant admiration of the world.

But he had gifts and qualities more useful for the part which he was called upon to play. Himself a country gentleman of moderate estate, passionately fond of all that made the chief delight of the country gentleman of his time—the chase, the preservation of game, the exercise of rough hospitality—he was specially fitted to win his way with a class whose avowed faithfulness to the exiled House of Stuart made one of the chief political dangers of his day. Loyally attached to the Church of England, and free from all suspicion of unorthodoxy, he was equally fitted to deal with another grave problem of the situation, the secret disaffection of the clergy, whose dislike of the fervent Catholicism of the Stuarts alone rendered the acceptance of the House of Hanover possible. The devoted adherents of the Church, Tories though they were, looked with an eye

of tolerance on the Minister who was known to have disliked the prosecution of Sacheverel, and who steadily refused, even at the request of a Queen, to read Butler's "Analogy," on the ground that "his religion was fixed, and he neither wished to change nor improve it." The son-in-law of a Lord Mayor of London, he won his way easily among the rapidly rising class of merchants, whose support proved of such inestimable value to an unpopular Government in the days of the first two Georges, and from whom he doubtless learnt those sound principles of finance, which enabled him to rescue the country from the despair of the South Sea Bubble, and to introduce order and practical sense into an antiquated fiscal system. Utterly unscrupulous in details, he was yet rigidly faithful in his allegiance to his party, whose cause he had championed with ardour from his college days. He enjoyed, therefore, the double advantage of being able to use coarse instruments, while at the same time setting an example of consistency which was perhaps, in the circumstances, the highest attainable form of political honesty, and which won him the respect, even of his enemies. "Robin and I are two honest men," said the stout old Jacobite leader, Shippen. "He is for King George, and I am for King James; but these men with long cravats only desire places, either under King George or King James." In other words, it may be fairly claimed for Walpole, that, if his example did not favour personal purity, at least it encouraged political honesty. Finally, Walpole had the inestimable advantage of being free from

political vanity. He never attempted to associate his name with great achievements at the expense of the nation. The gravest charge brought by history against Marlborough is, that he deliberately prolonged a costly and bloody war to enhance his own glory. Walpole was incapable of such a crime. Always seeking the line of least resistance, and setting the practical above the ideal, he was content to govern the country in the quietest possible way, to heal old sores, and to wink very hard at offences which did not really endanger the security of the State. And it happened that this attitude was exactly what was needed at the time. If St. John had been a Whig, and Walpole a Jacobite, it is long odds that the Revolution Settlement would have been destroyed, and the peace of the nation ruined. As it was, the peace of the nation was maintained, and the Jacobite cause destroyed. Happily for England, Walpole's vanity took an entirely harmless form. He believed himself to be a lady-killer.

It was, however, several years before Walpole obtained that commanding position in politics which entitles us to regard him as the mainspring of political action in England; and a brief sketch of the interval will serve to bring his work into clearer relief.

The Whig victory of 1705 was followed by a brilliant achievement in politics—no less than the Union between England and Scotland. The scope of this book does not permit of an adequate account of that notable event. It must be sufficient to say that, after having been the dream of ambitious statesmen since the days of Edward I., its accomplishment

had become a practical necessity with the accession of the House of Stuart to the English throne, in the person of James, the Sixth of Scotland and First of England. That the two countries under different monarchs should be jealous rivals, possibly enemies, was bad enough. That, whilst nominally obeying the same ruler, they should be severed by distrust and commercial jealousy, was a standing danger to the very existence of the State. Especially was this the case when the expected change of dynasty, on the death of Anne, threatened to awaken actual hostility, through the possible preference of the Scots for the exiled House. We have seen how the mismanagement of the Queen's Tory Ministers threatened to defeat the dying hopes of William. So acute was the crisis that, even before the elections of 1705, the Whig majority in the Lords succeeded in passing drastic resolutions, to the effect that, if the Union were not completed by Christmas in that year, all Scotchmen (with a few exceptions) should be thereafter regarded as aliens, all importation of Scottish cattle and goods into England and export of English wool into Scotland prohibited, and all Scottish vessels trading to France captured as prize of war. Owing to quarrels between the Houses, the Lords' Bill founded on these resolutions was laid aside by the Commons; but an almost equally drastic measure, brought forward in the Lower House, received the royal assent in 1705.

It was now absolutely necessary that something should be done to end the strain; and one of the first acts of the new Ministry, after the Whig triumph at the elections, was to secure the appointment of a

new set of Commissioners to discuss the terms of Union. A happy augury of success was the agreement of both political parties to the repeal of the hostile legislation of the previous session, which the Scots naturally regarded as rendering a friendly discussion impossible. On April 10, 1706, after the prorogation of Parliament, the new Commissioners were formally appointed. Their meetings, more than once graced by the presence of the Queen herself, commenced a week later, and were concluded before the end of July. Very wisely, it was arranged that the Articles agreed on should be first submitted to the Scottish Parliament, so as to avoid all appearance of pressure by the stronger country. The Scottish Parliament met on October 3, 1706, and, in spite of strenuous opposition by many members, the Act of Ratification was finally passed, by a majority of 110 against 69, on January 16, 1707; a special Act for the security of the Presbyterian Establishment having previously been touched by the royal sceptre. A fortnight later the Articles were presented to the English Parliament, and, after a corresponding provision had been made for the maintenance of the Episcopal Establishment in England, finally approved by statute on the 6th of March.

The terms of the Union are so well known, and so readily accessible, that the very briefest summary of them may here suffice. The Union effected was for legislative and administrative purposes only, leaving matters of judicature and religion absolutely unaffected. It is true that, by the theory of the

Constitution (not, perhaps, so well understood then as now) the sovereign power of legislation claimed by the Parliament of Great Britain legally carried with it the power to alter judicial, and even ecclesiastical, arrangements in either country. But it was well understood at the time that this power would not be exercised against the will of the country affected; and, with one or two notable exceptions,[1] the understanding has been honourably maintained. In theory also, the power to appoint the Scottish judges passed to the Ministry in London; but, except in the case of the new Court of Exchequer, rendered necessary by the fiscal union of the two countries, the old system remained, judges in Scotland, as before the Union, being appointed from the ranks of the Scottish bar.[2] Further than this, the whole systems of private law, or law affecting the ordinary dealings of citizen with citizen, remain distinct, for the most part, to this day in the two countries, such legislative changes as have been made having been sanctioned by the representatives of the country affected.[3] But the whole conduct of the daily business of politics in Scotland passed, with the Union, from Edinburgh to London;

[1] A conspicuous example was the restoration of private patronage in the Kirk in 1712, one of the most mischievous measures of the Tory Ministry which came into office in 1710. The abolition of the heritable jurisdictions in 1746, though expressly forbidden by the Union, was rendered necessary by the circumstances of the time.

[2] The Scottish Chancellor disappeared; but in Scotland the Chancellor was not a judicial officer.

[3] The theoretical unity is clearly expressed in the rule, that every Act of the British Parliament is binding in Scotland, unless Scotland is expressly exempted. But exemptions are frequent,

the Scottish officers of State virtually disappeared [1]; the military and fiscal systems of the two countries were united; the two Crowns became one; even the creation of new Scottish peers was forbidden; and, perhaps most important of all, every commercial barrier and restriction between England and Scotland was absolutely broken down, every Scotchman became eligible for civil office throughout Great Britain and her colonies, and a uniform standard of weights, measures, and coinage ran throughout the two countries.

Finally, in the legislature itself, Scotland became represented by sixteen peers, elected by their fellow-peers to serve in each Parliament, and by forty-five commoners. The position of the Article containing this provision is significant. Instead of appearing, as we should expect, at the very head of the Treaty, it ranks only twenty-second of the twenty-five clauses of which the Act is composed. The fact is, that the Parliament of Scotland had never attained, in Scotland itself, anything like the dignity and importance achieved by its prototype in England. To the great mass of Scotchmen, it was inferior in interest to the General Assembly of the Kirk; and the arrangement for its absorption excited comparatively little feeling. In one sense, no doubt, this was a fortunate thing. Had any fervour of national enthusiasm been associated with the Scottish Parliament, the Union could hardly have been

[1] One curious result of this fact was that the Lord Advocate (the equivalent of the English Attorney-General) became, in effect, Minister for Scotland in the central administration.

accomplished. But, in another respect, its consequences were of less indisputable advantage. The new Scottish members at Westminster found themselves in a curious position. Their own countrymen took little account of their doings, of which indeed they knew nothing. The distinction of Whig and Tory was of small importance north of the Tweed, or at least it had there a different meaning from that which it conveyed in the south. The members themselves were equally indifferent to the great bulk of the business which came before the British Parliament. On the other hand, the Ministry of the day was extremely anxious to secure their votes, and willing to pay handsomely for them. Especially was it willing to pay for them with the minor Scottish patronage, which the extinction of the Scottish Executive had placed at its disposal. The bargain was soon struck ; and it is not a little curious that so few historians have perceived the importance of the Union in thus assisting the development of the Cabinet System.

The great civil achievement of the Union was followed by the great military achievements of Oudenarde and Malplaquet, and the capture of Lille, Mons, and Minorca ; while the power of the Whigs rose to its zenith with the appointment of Somers as President of the Council. But, in their success, the Government became reckless. Louis XIV., now thoroughly alarmed, made handsome offers of peace ; but they were haughtily rejected by the Cabinet, except upon the terms that Louis should actively aid in deposing his own grandson from the throne of

Spain. With the full support of his subjects, the French King refused the humiliating condition, and the costly war went on. Marlborough demanded to be made Captain-General for life of the British forces. He had twice refused the lucrative post of Governor of the Spanish Netherlands, offered him by the Emperor, for fear that the jealousy of the Allies should weaken their support. But, like many other men, he thought that his patriotism deserved a substantial reward ; and the Captain-Generalship seemed to him to be only his due. The demand, however, raised a fierce outburst of anger in England. Men spoke openly of the new Cromwell ; and pertinently asked whether the Government regarded the war as a permanent institution. The Queen, now falling under the rival influence of Mrs. Masham, sternly refused the request. Finally, the Ministry made a disastrous mistake in directing the impeachment of Dr. Sacheverel, a divine accused of printing political sermons in which the principles of the Revolution were condemned. Walpole showed his sound sense by opposing the project in secret ; but he remained faithful to his party, and even took an active share in the impeachment. The issue fell out as he had foretold. As the trial progressed, public feeling rose higher and higher. Sacheverel became the idol of the hour. The Queen let it be seen that she cordially disapproved of the action of her Ministers; as the proceedings went on, it became more and more difficult for the Government managers to avoid making use of arguments always unacceptable to the ears of authority, and likely, unless handled with the strictest

care, to recoil on the heads of those who used them. The whole organising machinery of the High Church party was brought to bear in favour of the accused. Ultimately, Sacheverel was found guilty by a majority of 17 in the House of Lords; but the verdict was reduced to an absurdity by the lightness of the sentence pronounced upon him, which was merely that one of his offending sermons should be burnt in the presence of the Lord Mayor and Sheriffs, and that he should be suspended from preaching for three years. Such a sentence was virtually an acquittal, and was treated as such. The country went wild with delight. The Queen, emboldened by the unpopularity of the Ministers, offered the staff and key of the Lord Chamberlain to Shrewsbury, who, though a Whig, had voted in favour of Sacheverel's acquittal. But the manner of the appointment was more important than its matter. Godolphin and his colleagues knew nothing of the step till it was virtually taken. The Queen had, in fact, as was said at the beginning of the last chapter, exercised her undoubted right of appealing from her Ministers to the country. Emboldened by her success, she then, in spite of the earnest remonstrances of Godolphin and Marlborough, dismissed Sunderland from the secretaryship of State, and appointed Lord Dartmouth, a High Church Tory, in his place. A month later, in August, 1710, a clean sweep was made, Godolphin, Somers, Cowper,[1] Devonshire, Wharton, and Derby being replaced by Harley, Rochester, Harcourt,

[1] The Queen endeavoured to induce Cowper to remain in office, but he steadily refused.

Buckingham, Ormond, and Berkeley, while St. John was made Secretary of State in the place of Robert Boyle. The new Ministers demanded a dissolution; and the event proved that the Queen had rightly judged the temper of the nation. The Tories returned with a strong majority, which they at once improved by procuring the rejection of all Whigs whose elections could be disputed. For the second time Walpole had shown his sound sense by suggesting, at the commencement of these changes, an united resignation of the Ministry; but, when his advice was neglected, he again proved his loyalty to his party by obstinately refusing the advances of Harley, who made the most flattering offers to win him over. By this conduct he incurred the deep resentment of the new Ministers, who revenged themselves by getting him condemned on a charge of corruption. The incident, however, in no way detracted from Walpole's reputation, being regarded as a pure piece of party spite.

The history of the Tory Cabinet of 1710 almost exactly repeated the history of its predecessor. Elated by their victory, rendered popular by the attempted assassination of Harley, and later by the conclusion of the Peace of Utrecht, fired by the enthusiastic support of the High Church party, the Ministers boldly launched upon a career of reaction and revenge. Marlborough, despite his great services, was accused of peculation, and abruptly dismissed from his offices, with every circumstance of ignominy. The Occasional Conformity Bill (p. 105) was at length passed. The mischievous measure which restored



HENRY ST. JOHN (BOLINGBROKE) (1678–1751).
Portrait by Sir Godfrey Kneller.

private patronage in Scotland became law. The growing strength of the Press was crushed by a Stamp Act, and the iniquitous Schism Act of 1714 riveted still firmer the fetters of the Nonconformists, by placing the whole of the education of the country in the hands of the bishops.[1] The one great achievement of the Ministry, the Peace of Utrecht, was stained by circumstances of treachery, and by an extreme, if justifiable, stretch of the prerogative. The negotiations were carried on behind the backs of the Allies, and the English troops in the field were compelled, to their great indignation, to practise something like actual treachery towards their comrades. To secure a majority in the Lords, the Queen was induced to create a batch of twelve new peers. Finally, the Ministers, or at least some of them, entered into negotiations with the Pretender, to upset the arrangements of the Act of Settlement. But the country was not prepared for such a step. The General Election of 1713, in which the Whigs made considerable gains, had already weakened the Government. It was followed by an open rupture between Harley and St. John ; and, though the superior abilities of the latter enabled him to procure the dismissal of his rival, the vacant post was, in the confusion attendant upon the dying hours of the Queen, conferred upon the Duke of Shrewsbury, in whose hands the Protestant succession was safe. When the

[1] The Schism Act required, on pain of imprisonment, that every schoolmaster should obtain a licence from a bishop, should conform to the Anglican liturgy, and take the sacrament according to the rites of the Established Church.

paper on which, pursuant to the Act of Security (p. 114), the Elector of Hanover had written the names of his representatives, was opened, it was found to contain a great majority of Whig nominations. The elections which followed confirmed the choice of the new King, the Whigs securing a great majority. To avoid impeachment, Bolingbroke and Ormond fled over sea; and the Tory party went into a political banishment of nearly half a century.

The period which follows, dull as it proverbially is, and barren of startling events, is really of vital importance in the history of the British nation. In it were laid the foundations of that world-wide commerce, which is to-day the economic basis of the Empire's greatness. The East India Company, just a hundred years old, was quietly establishing itself as the great commercial power in the East, and preparing for the deadly struggle with Holland and France which the latter half of the century was to witness. British enterprise in the Western Hemisphere was undermining the already tottering power of Spain. The slow but sure development of the British colonies in North America was preparing the way for the gigantic duel with France for the possession of that great continent. The fiscal reforms of Walpole were making the British revenue system, despite its Protectionist character, the admiration of the world, and rendering the work of Adam Smith possible. In the potteries and ironworks of Staffordshire, and the coal-mines of Northumberland, was maturing the humble seed of a vast industrial enterprise which, half a century later, was to shoot

up into such a mighty tree. The steady improvement in agriculture and other rural pursuits, encouraged by an almost unbroken series of rich harvests, was building up a sturdy peasantry, which was afterwards to give its life-blood to feed the factory system of the North, and the armies which withstood Napoleon. The gradual healing of deep-seated divisions, religious and political, was welding the once divided country into a great national unity, and bringing into existence the hopes and endeavours that led to the great outburst of democratic feeling which produced the Reform Bill. Last, but not least, the dull political intrigues of those commonplace years were slowly moulding the administration of the State into that curious form, which was the answer of history to a struggle which had been the secret mainspring of English political life for nearly four hundred years—the attempt to reconcile a strong government with popular control. What the Civil War, with its heroes and its bloodshed, had been unable to effect, that the reigns of two foreign kings, with their petty Court intrigues and sordid politics, were destined to produce. It is to this aspect of the period that we turn our eyes.

The first step in the process was the passing of the Septennial Act in 1716. The ostensible cause of this measure was the excitement under which the country was labouring, after the Jacobite rising of the previous year, and the prosecutions which naturally followed. In spite of the defeat of Forster at Preston, and the flight of Mar from Sheriffmuir, the Government preferred to believe that the Pretender's

agents were busily at work, and that an election in 1718 would be fatal to the peace of the country. But the real motive of the measure was the enormous cost attendant upon securing a majority in the House of Commons under the triennial system. The expenses of elections had grown rapidly with the increased importance of the House of Commons; and a member who had the prospect of a heavy drain upon his purse at the end of three years naturally asked a higher subsidy than one who could count upon a longer tenure of his seat. The Bill was, of course, furiously opposed by the Jacobites, as well as by the loyal Tories, who hoped for a change in the balance of the parties. Some of the independent Whigs were also a good deal troubled by the constitutional argument, that a House returned by the electors for a period of three years could not legally prolong its own existence to seven. But it was pointed out, with considerable force, that a simple repeal of the Triennial Act, which had not been in existence for a quarter of a century, was unquestionably within the power of Parliament, and that such a step would really leave it in the power of the Crown to prolong the existence of the House for an indefinite period. Moreover, the Commons could not help feeling that the new measure would give them an immense accession of strength in their rivalry with the Lords. Ultimately, the Bill passed its second reading in the Lower House by a majority of 122; and it is significant of the state of politics that, of the 284 members who voted in the majority on that occasion, no less than 129 held

office under the Crown. Curiously enough, Walpole, though he was known to be strongly in favour of the measure, had no opportunity of speaking in its defence; for, though he held the offices of First Lord of the Treasury and Chancellor of the Exchequer, he was actually obliged, by a serious illness, to absent himself from the sittings of the House.

A few months later he was compelled to resign office for opposing the view of Stanhope, who, for the first few years of the new reign, acted as Prime Minister; and he cannot, therefore, be credited with the authorship of the next important step in the progress of the new system. This was the suspension of the Convocation of the Province of Canterbury, which, according to ancient precedent, assembled in London at the opening of each session of Parliament, and, though by no means equal in importance with the General Assembly of the Scottish Kirk, yet held it in its power to act as a thorn in the side of a Parliament to whose views it was opposed. The Upper House of Convocation, consisting of the bishops, was at this time steadily Whig, despite Anne's creations. But the Lower House, consisting of the deans and archdeacons, together with a large number of proctors, or elected representatives of the minor clergy, faithfully reflected the Tory sympathies of the Church, and served as a rallying-point for the Opposition. At the Reformation, however, it had been solemnly acknowledged [1] that the Convocations could not meet without the

[1] 25 Henry VIII. c. 17.

sanction of the King's writ; and, in the year 1717, the Government took the step of withholding the necessary formality—an act which commenced the virtual suspension of the independent existence of the Church for a period of 130 years, and thus deprived the Opposition of a formidable weapon.

But, at the next constitutional crisis, the voice of Walpole is already heard. In 1719 the Ministers, serenely confident in their majority in the Lords, and dreading a possible disturbance of the balance, brought in a Bill to restrict the future creation of peers. The numbers of the English peerage were never to be increased beyond six. On the falling-in of vacancies, patents were to be made out only in favour of heirs male. The sixteen elected peers of Scotland were to be replaced by twenty-five hereditary peers. The Bill appealed to the exclusive feeling of the House of Lords; but calm observers saw that it would, if carried, be fatal, both to the supremacy of the House of Commons, and to the Ministerial system. An hereditary Chamber is always slow to respond to the changes of national feeling. A close hereditary Chamber is certain to get out of touch with national life. Walpole, though not, technically, in Opposition, acted the part of candid friend, and threw his whole weight against the Bill. But it is noteworthy, that the most telling argument in his powerful speech which, practically, decided the fate of the measure, was not any appeal to general principle. He asked, pointedly, whether the Whig country gentlemen and merchants would really consent to a scheme which would deprive them

and their children for ever of the honourable ambition of ranking among the peers of the realm. The argument was irresistible. The independent Whigs came over in a body; and the supporters of the Government were beaten by nearly a hundred votes. The result was to confirm Walpole's ascendency in the House, and to convince Ministers of the folly of excluding from their ranks the one man who could assure success to their measures. Walpole became once more Paymaster of the Forces in 1720.

There followed, almost immediately, an event which raised him to the highest pinnacle of influence. In 1711 Harley had formed the South Sea Company as a rival of the Whig institution of the Bank of England. The company was nominally commercial; but its real object was to aid the Tory Government, by taking over part of the floating National Debt, and converting it into permanent stock. The dividends were, of course, to be paid out of the national revenue, and this meant that the management, or, at least, the distribution of national funds was handed over to the Directors. The plan had succeeded, for there was a vast amount of capital seeking permanent investment; and the creditors of the Government had no wish to be paid off. But the jealousy felt by the Company for the Bank, and the party feeling involved, led the two institutions to enter upon a spirited rivalry for the assumption of future debts. The Directors of the Bank kept their heads; but their rivals bid wildly for business, offering extravagant

advantages in return for the assignment of loans. At length, in 1720, they made an offer to take over thirty millions of the nation's liabilities, to reduce the interest payable by the State to an uniform rate of 4 per cent., to subscribe seven and a half millions for the public service, and to reduce substantially the charges of management. In return for these magnificent offers, they asked only for the exclusive monopoly of the visionary trade in Spanish waters, assumed to have been secured by the Treaty of Utrecht, but really rendered nugatory by the renewed hostility of Spain.

In spite of the strong opposition of Walpole, the proposals of the Company were accepted by Parliament, on the recommendation of Aislabie, who had succeeded him in the chancellorship of the Exchequer. It was manifest, however, that the Company could only carry out its promises with the help of an enormous inflation of prices; and, to the disgust of its supporters, the expected rise of the price of stock did not at first take place. In their despair, the Directors, it is to be feared with the connivance of the Government, resorted to every art then invented for producing what would now be called a "boom." Amongst other rumours, it was announced that the Spaniards had consented to take Gibraltar and Minorca in exchange for some places in Peru, a country then popularly supposed to consist exclusively of gold and silver. The announcement raised the price of stock to 200 per cent. premium, at which price two millions of the original issue were disposed of. An immediate dividend of 10 per cent. was

promised on the 21st of April, and a second subscription was negotiated at 300 premium. Tempted by the bait, the holders of Government annuities exchanged them for stock of the Company on absurdly liberal terms, some even accepting a nominal eight and a half years' purchase. The fever of speculation attacked the nation. By the end of May the £100 stock had risen to 890; before the end of June it touched 1,000, and, even at that price, purchasers were willing to take over subscriptions at the enormous premium of 2,000 per cent. Nor was the fever by any means confined to South Sea stock. The summer of 1720 witnessed the first and greatest outburst of mad speculation from which the country has suffered. Companies were formed for every conceivable object — for assuring seamen's wages, for effectually settling the islands of Blanco and Sal-Tartugas, for a wheel for perpetual motion, for erecting an hospital to maintain bastard children, for buying and fitting out ships to suppress pirates, for the transmutation of quicksilver into a malleable fine metal, for erecting salt-pans in Holy Island, for carrying an undertaking of great advantage, but nobody to know what it is. The state of the public mind is best shown by the fact that the promoter of the last ingenious scheme collected two thousand guineas from a thousand different persons in a single morning: after which, needless to say, he decamped. The South Sea Directors somewhat foolishly obtained from the Lords Justices, who represented the King in his absence at Hanover, an order for the suppression of many of these

wildcat companies ; and the irritation thus produced threatened to prick the South Sea Bubble itself. But by dint of unscrupulous manœuvres the Directors succeeded, at the end of August, in placing yet another million of their capital at a premium of 1,000 per cent.

The crash came in September, owing to the successive failures of the bankers who had lent money on South Sea stock, and found themselves unable to realise. With unanimous voice the nation called for Walpole, who had steadily refused to take any part in public affairs during the preceding three months, to come to its rescue. With great difficulty he succeeded in inducing the Bank of England to take over a part of the Company's liabilities on reasonable terms. The Government agreed to accept, in stock of the Company, one half of the seven and a half millions due to it, and to abate the other. The estates of the Directors were confiscated to satisfy the claims of stock-holders, who ultimately received back a small proportion of their losses. After a long investigation by the House of Commons, several of the Directors were sent to the Tower ; and more than one committed suicide. Stanhope, the Prime Minister, though he was personally innocent of corruption, was so overcome by the revelations affecting his colleagues, that he fell ill and died. There was but one man possible as his successor, and that man was, of course, Walpole. He was made First Lord of the Treasury and Chancellor of the Exchequer in 1721, his brother-in-law Townshend returning to office with him as

Secretary of State. All men felt, however, that it was Walpole's Government; and from that day until 1742 Walpole was virtually ruler of England. Incidentally, it may be remarked, the South Sea Bubble had brought him two valuable prizes beyond the premiership. In the early stages of the mania he had acted as the financial adviser of Princess Caroline, the wife of the future George II., and acted so wisely, that he secured her firm friendship, and commenced that curious alliance which was so valuable to him in later years. Moreover, having delivered his faithful testimony against the South Sea scheme, and seen his advice neglected, he had not scrupled to dabble in the stock on his own account, and to clear a profit of 1,000 per cent. on his transactions. The result was to raise him from the position of an ordinary country gentleman to that of a nobleman with a great estate.

Starting thus, with the fairest auspices, Walpole, as we have said, retained the reins of office for twenty-one years. What were the chief features of his remarkable success?

In the first place, he had the Court thoroughly in hand. It was inevitable that a king who, like George I., could speak no English, and knew nothing of English domestic policy, should be little more than a figurehead in home affairs. Thinking it useless to listen to discussions in a tongue which he did not understand, George absented himself from Cabinet meetings, and therefore knew nothing of current business. Thus the personal authority of William, and the wavering attitude of Anne, were changed,

necessarily, for the blind acceptance by George of the advice of his chief Minister. Who that Minister should be was the all-important point. We have seen that the state of affairs on the death of Anne rendered it impossible for the King to trust a Tory. At first, as we have also seen, he inclined to Stanhope, who was a soldier, and who humoured him about Hanoverian politics. But, after the South Sea Bubble, he clung firmly to Walpole, who, in his own words, could "turn stones into gold,"[1] and who had earned his undying gratitude by the masterly way in which he had screened the Court from the awkward revelations of the South Sea Committee. Once only was Walpole's power in serious danger from the Court, when, on the sudden death of George I., his son, who disliked Walpole for his steady devotion to the dead monarch's family views, expressed his intention of making Compton his chief Minister. But Compton was so incapable of seizing his chance, that he actually applied to Walpole for assistance in drawing up the new King's first speech to the Privy Council. A foolish man would have refused with petulance. Walpole readily consented, and took care that his handwriting should appear in the draft submitted to the King. Then the new Queen, no other than that Princess Caroline who had made a fortune through Walpole's advice at the time of the South Sea Bubble, pointed out to her husband the absurdity of employing a Minister who could not perform his simplest duties without assistance from his rival. The

[1] Presumably the King used the German equivalent.

King was reluctantly convinced, and Walpole was sent for. He clenched his victory by undertaking to secure for the King a Civil List substantially larger than anything that Compton had dared to propose, and made good his promise. He was immediately confirmed in his old office ; and the King loyally placed at his disposal the vast patronage of the Crown. Only one reservation was made. "As for your scoundrels of the House of Commons," His Majesty was pleased to observe, "you may do what you please, but I will have no interference with my army." The stipulation was just, and Walpole accepted it. Even the death of Walpole's faithful ally, Queen Caroline, in 1737, made no difference. Walpole transferred his friendship to the King's mistress, Madame de Walmoden, and held the Court as securely as before. Envious rivals poured tales of scandal into the King's ear. George listened and laughed, and repeated them to Walpole himself. To the day of his defeat, in 1742, and even after it, Walpole retained the unbroken confidence of the King.

Equally clear in Walpole's system was his determination to make the House of Commons the real centre of political business. He was the first leading Minister since the Restoration who steadily refused a peerage during the whole of his tenure of office. Clarendon, Danby, the Sunderlands, Halifax, Rochester, Godolphin, Oxford, Bolingbroke, and Stanhope, had all conducted the business of the country from the Painted Chamber. Even Montagu, though his influence was great, and though, in many respects,

he anticipated the position of Walpole, had been overshadowed by Somers and Wharton, both of them peers. But Walpole, whose Cabinets bristled with noble lords, was always indisputably First Minister, just because he, and he alone, could lead the House of Commons. So long as he could command a majority in that House, he cared not a rap for the intrigues of his colleagues in Court and Cabinet. The moment he was beaten in the Commons he resigned all his offices. In his hands the spigot of taxation became the rudder of government; and it was just during his long period of power that the Commons finally achieved the supreme control in matters of finance. Before his day, the chancellorship of the Exchequer, historically a subordinate post, had often been held by a peer. Walpole not only raised it to the position of a great office of State, but set the tradition, never afterwards broken, that it must be held by a member of the Commons' House.[1] Almost the only measures of first-rate importance brought forward during his lease of power were financial measures. The import duties on timber were repealed; and the worst restrictions imposed by the Navigation Acts judiciously withdrawn, to the great benefit of the colonial trade. The valuable silk manufactures of Spitalfields were encouraged by the allowance of drawbacks on exported silks. Smuggling was checked by a reduction to order

[1] It is strictly true that Lord Mansfield, on two occasions, in 1757 and 1767, held the Exchequer seal for a few months. But his position was purely *pro forma*, during the intervals between genuine appointments.

and simplicity of the complicated chaos of the Customs' duties. The salt tax was abolished, to the great improvement of the health of the nation. The famous Excise Bill of 1733, though it raised a storm of factious opposition which was fatal to its success, is now universally admitted to have been a wise measure.[1] With a policy of this nature, the House of Commons necessarily became the centre of business, and the predominance which it then acquired has never since been lost. In fact, the drawback to Walpole's policy was, that it made the House of Commons too powerful, not only for the King and the peers, but for the nation. Secured in their seats by the Septennial Act, supreme in Parliament through the increasing importance of finance, unapproachable by intelligent criticism owing to the weakness of the Press and the secrecy of debates, the Commons succumbed to the evils of irresponsible power, and gradually assumed that position of arrogant privilege which was afterwards to cost them dear.

Concerning the methods by which Walpole retained his hold over the body which he had made so powerful, there has been much keen dispute. Due weight must be given to natural causes—to the determination of the moneyed interest to maintain the Hanoverian dynasty, and to the conviction that Walpole was the man for the purpose. Quite apart from all questions of undue influence, Walpole exercised the authority natural to a man who had, over

[1] For an excellent summary of Walpole's financial policy, see A. L. Smith in "Social England," vol. v. pp. 117–130.

and over again, showed himself to be the incarnation of common sense, and who had rescued his country from the depths of financial despair. The mildness of his government won him friends amongst men who were tired of the furious polemics which had exhausted the energies of the previous generation. He could strike when he chose, as the rebels of 1715 found to their cost. But his vindictiveness was, as a rule, reserved for traitors in his own camp; and, even in such cases, it took what was then regarded as the lenient form of political ostracism. The well-known anecdote of his treatment of his rival Pulteney, whom, at the moment of the latter's triumph, he persuaded to commit the folly of accepting a peerage, is characteristic alike of his humour, and of his conviction that the real power in politics lay with the Commons. "I have turned the key of the closet on him," he chuckled in triumph; and he met his discomfited rival on the floor of the Upper House with the cheerful remark, "Well, here we are, my Lord, two of the least important men in England." To his open foes, Walpole was generous beyond anything hitherto known. He allowed the proceedings against Oxford to drop; he consented to Bolingbroke's return to England; and not all the venom of the *Craftsman* could move him to shed blood. Over and over again he spared Jacobites who had brought themselves within the scope of the treason laws; and he had his reward when, in the crisis of 1741, Shippen, the Jacobite leader, with thirty-four of his followers, refused to vote against the tottering Minister, and thereby prolonged his power for a year. That he

resorted to other and less honourable means to ensure his ascendency is probably true, although, from the nature of things, the evidence does not survive in a direct form.[1] But it is quite certain, that parliamentary corruption did not originate with Walpole, neither did it reach its zenith in his time. For the most flagrant examples of individual corruption, we must go back to the days of Charles II. and William III.; for the most reckless system of universal jobbery, we must look forward to the days of George III. When Walpole bribed, he bribed judiciously, and to secure what he believed (and with reason) to be a great national object, the maintenance of the Hanoverian dynasty on the throne. His evil reputation is, probably, quite as much due to his outspoken bluntness and freedom from cant, as to any real moral obliquity.

Finally, if Walpole was not personally vindictive, he was a strict disciplinarian; so strict, in fact, that he has been accused of violating the ethics of party allegiance, to gratify his personal ambition. But there was much excuse for him. He came into power at a time when political morality was notoriously low. It was, as yet, no uncommon thing for the members of a Ministry to conspire secretly against the measures of the Cabinet, and even to oppose them openly in Parliament. Walpole believed, rightly or wrongly, that the peace of the

[1] Walpole himself is said to have admitted in the House of Commons in 1731, in opposing a motion for a return of pensions held by members of the House, that a measure of the kind proposed "would disfurnish half the counties and boroughs in England of their representatives" (Parl. Hist. viii. 857).

country was in danger from the Jacobites, and that the only way to meet the danger was by presenting an unbroken Ministerial front to the enemy. And, after all, no one could dispute that, after 1721, Walpole, and not Townshend or Carteret, was the choice of the nation. Carteret was a brilliant and wayward genius, whose subsequent career amply justified the prudence of Walpole in depriving him of the Seals in 1723. With Townshend, Walpole worked amicably for nine years; and it was natural that the older man, originally the patron, should retire on finding himself reduced, by the logic of events, to a second place.

But it was not in the Cabinet, so much as in the House of Commons, that Walpole's discipline showed itself most clearly. It has been remarked as strange, that a Prime Minister who avowedly rested his power on the Commons, should so rarely have admitted commoners to his Ministries. Walpole's first Cabinet was composed of ten peers and three commoners; on the withdrawal of Carteret, Pelham, a commoner, became Secretary at War, but the Seals were given to the Duke of Newcastle. When Townshend withdrew in 1729, his place was taken by the Earl of Harrington, and Lord Wilmington became Privy Seal. When the Ministry was reconstituted in 1731, the Dukes of Dorset and Rutland appeared in the Cabinet; and the sole representatives of the Commons were Walpole himself and Pelham. In 1733, Walpole for once departed from his rule, by appointing Sir Charles Wager First Lord of the Admiralty with a seat in the Cabinet. But, in 1739, he once

more followed his own precedent, Lord Hervey, raised to the House of Lords in his father's lifetime, being made Privy Seal.

In truth, however, there is no mystery about the matter. Walpole felt that a colleague in the Upper House was far less dangerous than a colleague in the Lower. Secure in his own power of managing the Commons unaided, he dreaded the possible defection of a colleague in the hour of trial. His noble friends knew well enough that their tenure of office was dependent on his favour. He made a terrible sweep of them over the Excise Bill in 1733. Bolton and Clinton were deprived of their Lord Lieutenancies, Cobham of his regiment, Montrose of his guardianship of the Great Seal of Scotland, Chesterfield of his post of Lord Steward. Even Walpole dared not have treated influential members of the Lower House in that way. But Newcastle's increasing borough influence was steadily employed on behalf of the Government; all the minor pickings of office were regularly given as rewards of political service; again and again Walpole procured the defeat of Pension Bills that he might keep his battalions in good order. Even Lord Scarborough, a personal favourite of the King, and the holder of a purely formal office, had to resign because he could not agree with Walpole's high-handed action in the dismissal of Bolton and Cobham; and his retirement may be said to have definitely marked the adoption of the principle of the unity of the Cabinet.

It is easy to exaggerate Walpole's contribution to the development of the new system; and it is, indeed,

quite possible, that Walpole himself had no comprehensive scheme of political organisation. He was above all things an opportunist, a man whose one object was, as we should now say, to carry on the business of the country from day to day. Nevertheless, his long period of office marks the appearance of the new order. In place of the personal government of the Crown, limited it might be, by the restraints of law, and the necessity for winning the general sympathy of Parliament, he showed the country the picture of a simple commoner wielding more than royal power, by virtue of the support of a well-drilled majority in the House of Commons, resting, nominally at the least, on a party organisation which extended throughout the kingdom. Walpole wielded more than royal power, because he had at his disposal, not merely the prerogative of the Crown, but the legislative and financial authority of Parliament. By his day it had at last come to be understood, that the one thing which could with certainty stop the wheels of administration was the refusal of the House of Commons to grant supplies. By making it his first care to secure a majority in that House, Walpole entrenched himself in an impregnable position. On the one hand, he could offer to the Crown and the Lords many good things, if they would fall in with his plans. On the other, he could practically checkmate them by refusing to ask for supplies. But he knew exactly the limits of his power, and, on his first defeat in the Commons, he admitted that his day had closed, and retired into private life.



VI

THE SYSTEM ON ITS TRIAL

THE period which came between the resignation of Walpole and the outbreak of the Seven Years' War is often reckoned the dullest in the annals of England. Even the long and pacific Ministry of Walpole appears interesting by comparison ; for, in the great figure of the Minister himself, the student, and even the casual reader, recognises a force which is shaping the course of history. But in the succeeding period no such clear mastery lends unity to the drama. The rising genius of Pitt does not find its real opportunity until the resignation of Newcastle in 1756. Meanwhile, the stage is filled with the moderate talents of Pelham (the real successor of Walpole), the brilliant vagaries of Carteret, the cynical worldliness of Chesterfield, and the dull mediocrity of Newcastle. Even the stirring episodes of the Jacobite rising, and the capture of Arcot, fail to illumine the scene ; for the former is felt to be the last effort of a dying cause, and the significance of the latter is not recognised. The foreign politics of the time are tortuous

and confused; there is nothing of the clear definiteness of the issue for which Marlborough had fought, nor of that for which Pitt was going to fight. The Peace of Aix-la-Chapelle seems to mock the vast expenditure of blood and treasure, which had drained Europe for so many years, by restoring matters to the *status quo ante*. In domestic affairs, we seem to hear of nothing but Court intrigues and political factions, unrelieved by a single gleam of principle.

Nevertheless, as in all periods of our history, there were great principles and movements at work, if we could but find them. The task of national regeneration, ever needing new effort, was taken up by the fervent hearts of Wesley and his followers, who, in the year 1740, definitely formed the great society of Methodists. The steady progress of the English colonies in America was laying the foundations of a new world-power, whose ultimate influence is, even now, a matter of conjecture, but which, in this period, was not even dreamt of. The new activity of the English settlements in India was surely paving the way for that march to glory which, perhaps more than anything else, has given Britain her fame and influence among the nations. In the year 1745, a significant motion by Sir Francis Dashwood, in favour of Parliamentary Reform, marks the definite appearance of the great Radical movement which was to dominate English politics in the following century. The voyages of Anson, and the explorations of Byron, Wallis, and Carteret, opened up the Pacific to British adventurers, and were the precursors of that brilliant period which added Australia and New

Zealand to the British Empire. But, for our immediate purpose, the interest of the years from 1742 to 1756 lies in the part which they contributed to the definite establishment of the Cabinet System.

It would have been too much to expect that George II., on the retirement of Walpole, should bow without an effort to an incipient tradition, which deprived him of personal authority, and the reality of which was hardly admitted, even by those who were most concerned in its maintenance. Accordingly, the King determined to replace the retiring statesman with a Minister of his own choosing; and it is not a little significant, both of his tenacity and his want of imagination, that his choice should have fallen upon the very man whose ignominious failure in 1727 had secured Walpole's authority for a period of fifteen years. But Wilmington in 1742 was more successful than Compton had been in 1727, and he formed a Ministry which, in some of its features, looked like a return to the old order. Not only were some of Walpole's rivals, such as Carteret and Pulteney, admitted—that, of course, would appear to us more natural than the retention of his friends; but the most characteristic features of his system were abandoned. Wilmington, the nominal Prime Minister, was a peer, and had little influence in the House of Commons. Carteret, by far the ablest and most brilliant member of the Government, quarrelled openly with his colleagues, and conducted foreign affairs without reference to them. Pulteney (now Earl of Bath) held no office, though he was a member

of the Cabinet. Even Tories, like Winchelsea,[1] were once more admitted to office; while the reconciliation effected between the King and the Prince of Wales deprived the "Leicester House Party," which had long been the centre of Opposition, of its rallying-point.

Still more significant of a reaction against the system of Walpole was the passing, in the summer of 1742, of a Place Bill, or, as it was called (to distinguish it from more sweeping measures of a similar kind), a "Bill to exclude certain officers from being Members of the House of Commons." A measure of this character had long been a favourite proposal of Walpole's opponents, who contended, with considerable show of reason, that his system could only be maintained by official corruption. It was strongly urged that the provisions of the Act of 1705 (*ante* p. 116) were inadequate, as applying only to newly created offices. Many of those who, in the cold shade of Opposition, had been the loudest advocates of the measure, now found some excuse for deserting their former opinion. But, in spite of their defections, the Bill was carried, and it excluded from the Lower House the Commissioners of the Irish revenue and of the navy and victualling offices, as well as the subordinate officials of the Treasury, the Exchequer, the Admiralty, the Pay Offices, and the offices of the Secretaries of State, and the numerous Commissioners of salt, stamps, appeals, wine licences, hackney coaches, and hawkers and pedlars. At this point, however, the

[1] He was a son of the famous Lord Nottingham, the Revolution statesman.

reforming zeal of Parliament stopped; and Pension and Place Bills of a more sweeping character were rejected, while the proposal to repeal the Septennial Act disappeared.

And the death of Wilmington in 1743 speedily put an end, for the time at least, to the King's hopes of a purely departmental Ministry. The Earl of Bath (Pulteney), who had been the real soul of the opposition to Walpole, laying aside the *rôle* of disinterested patriotism which sat so ill upon him, now openly descended into the arena, and claimed the great office of First Lord of the Treasury. But the fatal consequences of his acceptance of a peerage at once manifested themselves, and, after a three days' struggle, he was obliged to retire in favour of Henry Pelham, to whom had fallen his position as leader of the Commons' House, and, therewith, the leadership of the Ministerial party. Pelham became, not only First Lord of the Treasury, but Chancellor of the Exchequer; for Sandys, the only other commoner in the Cabinet, in a fit of pique, refused to serve under a man who had just been raised from the subordinate office of Paymaster. Thus Pelham stepped at once into the shoes of Walpole, who indeed was believed to have inspired the new arrangements from his retirement at Houghton.

One thing only was now needed to restore the system of Walpole in its completeness. The presence of Carteret in the Cabinet was to the new leader, as it had been to his great predecessor twenty years before, a source of constant danger. Carteret, incomparably the most brilliant and fertile of the Ministers

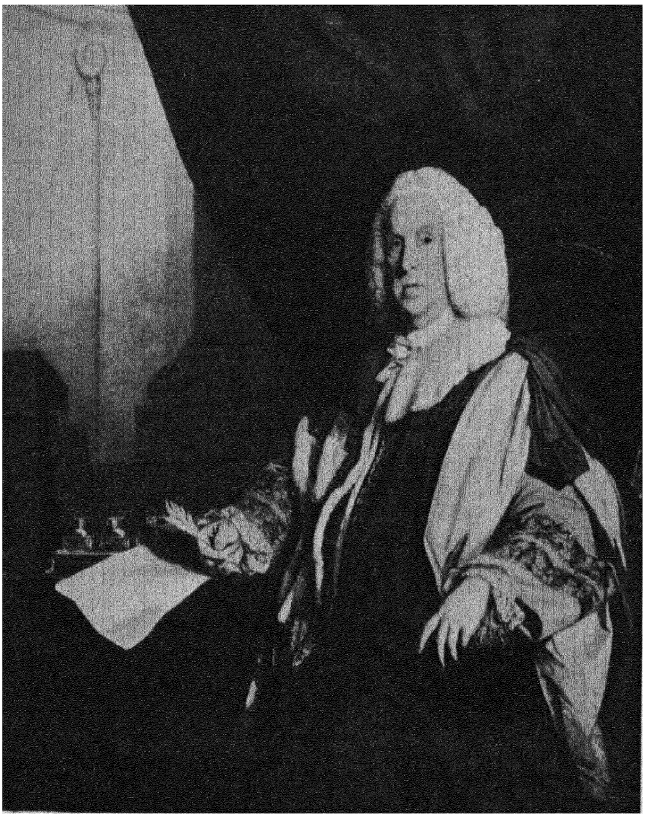


Photo by] [*Walker & Cockerell.*

WILLIAM PULTENEY (BATH) (1682–1764).

Portrait by Sir Joshua Reynolds, in the National Portrait Gallery.

had thrown himself passionately into the whirlpool of Continental politics; and, by his devotion to the interests of Hanover, no less than his familiarity with the native language of the King, was obtaining a dangerous hold over the mind of his royal master. Even before the death of Wilmington he had, by accompanying George through the Dettingen campaign, and thus becoming the sole channel of communication with the closet, been a source of anxiety to his colleagues. His hand is seen also in the open declaration of war with France which followed on Wilmington's death. But he was vain and careless, ostentatiously despising the minor arts of political management, content, in his own language, "to make Kings and Emperors, and to maintain the balance of Europe." It is quite possible that, in assenting to the elevation of Pelham, he thought that he could treat the new First Lord as he had treated Wilmington. He soon discovered his mistake. At the end of the year 1743 he persuaded his colleagues, though with the utmost difficulty, into proposing that 16,000 of the King's Hanoverian troops should be taken into British pay; and the necessary motion, though fiercely combated by the eloquence of Pitt and Chesterfield, passed through both Houses with substantial majorities. But Pelham and his adherents had become thoroughly alarmed by the reckless policy of their colleague, and determined to get rid of him. The ill-success of the war, during the summer of 1744, afforded the necessary excuse. The Pelhams and their supporters drew up a memorial to the King, stating that they felt them-

selves unable to carry on the government of the country with Carteret (who had just become Lord Granville) in his present office. The King was angry and sullen, Carteret indignant. But the matter was settled by the logic of events. Looking over the division lists in the House of Commons, Carteret found that his enemies could outvote him by four to one ; and he bowed to the inevitable. His place was taken by Lord Harrington ; and a few other changes were made. Of these the most important were the admission of Bedford and Gower, as representatives of that powerful section of the Whigs which was afterwards to become famous as the "Bloomsbury Gang," and the appointment to the Viceroyalty of Ireland, in spite of his action on the Hanoverian question, of the Earl of Chesterfield.

The significance of the events of 1744 can hardly be questioned. There was no question of party ; it was simply a matter of discipline. The favourite Minister of the King refused to follow the lead of the man who commanded the support of the House of Commons and the Cabinet, and, in spite of the King's support and his own transcendent abilities, the recalcitrant Minister was forced to resign. It is said that, in the agony of the crisis, Carteret appealed successfully for the help of the veteran of Houghton ; and if this be so, it is easy to understand Horace Walpole's otherwise unaccountable attitude on the occasion. The owner of Strawberry Hill affects to be deeply indignant at conduct which his father had practised over and over again, and which, according to the principles of the Walpolean system, was

thoroughly constitutional. George himself was far more docile. Not only was he compelled to accept as Ministers, and even as household servants, men who, like Sir John Cotton and Waller, were personally distasteful to him; but he was obliged to submit to a lecture from the Chancellor, Lord Hardwicke, in which it was explained to him that he must act as though all these events had been the result of his dearest wishes. The poor King, not unnaturally, found the lesson hard to learn; and when Hardwicke, with remorseless logic, wound up his harangue with the orthodox profession, that he and his colleagues were but the humble servants of His Majesty, the persecuted monarch burst out with the bitter confession, "Ministers are the King in this country."

The long administration of Pelham is second only to that of Walpole in its importance for our purpose; but it is singularly deficient in incident. The absence of all popular enthusiasm on behalf of the Government was strikingly manifested by the indifference with which the Jacobite rising of 1745 was received. The Pretender, encouraged by the defeat of the English and their allies at Fontenoy, landed in the Highlands in July, reached Edinburgh in safety, and was actually proclaimed King in the Scottish capital. Defeating Cope, the English commander, at Prestonpans, he dashed across the English border, captured Carlisle, and reached Derby by the beginning of December. But if there was little enthusiasm for the Government, there was even less, in England at least, for the Stuarts. Thoroughly alarmed, the Ministers hurried troops home from the Low

Countries; but, even after his northward retreat, the Pretender was able to claim another victory at Falkirk. In April, however, his dwindling host was defeated at Culloden, near Inverness, and the rising stamped out with a merciless severity which obtained for the victor the title of "Butcher Cumberland." Even before Culloden a ministerial crisis had occurred. Alarmed by their own weakness, the Ministers proposed to the King to take Pitt into office. The proposal was, according to modern ideas, thoroughly sound; for, though Pitt was nominally in Opposition (as were most aspiring members who were not on the Ministerial pay list), his views were almost entirely in accord with those of the Pelhams, and he was rapidly rising into power as the most brilliant debater in the House. But the King, who hated Pitt for his outspokenness on Hanoverian questions, flatly refused to adopt the suggestion, and began to listen to Bath and Granville. Acting with unusual promptitude, the Ministry resigned in a body; and, after a futile attempt by Bath and Granville to form a Cabinet, the King was reluctantly compelled to submit to the demands of his former Ministers. Pitt was made Vice-Treasurer of Ireland and, subsequently, Paymaster of the Forces; but the feelings of the King were still strong enough to keep him out of the Cabinet. The new Minister, however, added considerable strength to the Government, and gained great popularity for himself by refusing to accept the irregular profits of the Pay Office. But, while he thus established a reputation for financial honesty, he took less care of his political consistency; for he soon

became a strenuous supporter of that Hanoverian policy which it had once been his chief object to assail.

The accession of Pitt to office marks, in fact, the beginning of that long period of war which contrasts so strongly with the period of peace under his great predecessor Walpole. It is, perhaps, hardly more than an accident that Pitt should have been bred to the profession of arms. He resigned that profession lightly, rather than risk his chances in the career of politics. But the whole temper of the man, his virtues as well as his failings, led him in the direction of a warlike policy. Intensely proud of his country's fame, he could not bear to see her suing for peace at the courts of Europe, or striving to avert war by diplomatic caution. Almost unerring in his judgment of individual character, he felt confident of being able to select the right men to conduct a war to a brilliant conclusion. Wielding the magnetic charm of eloquence, he knew that he could always rouse both the House and the country to those great and sudden efforts which war requires. On the other hand, he had no taste for the subterranean workings of party management, and no love for the drudgery of administrative office. Of finance and political economy he knew very little; and the slow development of the material resources of the country seemed to him an unworthy task for a great Minister. But he was invaluable to his colleagues, as the one man in their ranks who could bring them into touch with the world beyond the narrow sphere of Court and politics. The stroke of genius by which, after the

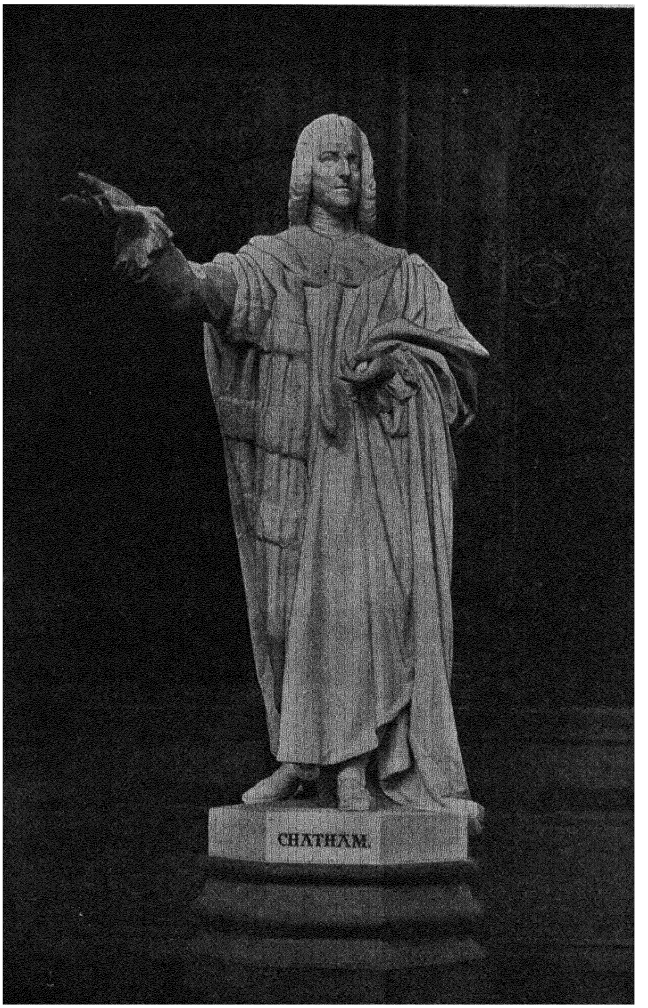
ruthless victory of Culloden, he converted the most dangerous of the Highlanders into loyal servants of the Crown, by enrolling them in the army and allowing them to wear that national dress which was elsewhere proscribed, is proof of an imagination wholly different from the sordid policy of Newcastle and his crew. The great Militia Act of 1757 was but another sign of the same spirit.

For some years, however, while Pitt occupied only minor office, the military fortunes of the country were not brilliant. The terrible defeat of the Duke of Cumberland at Bergen-op-Zoom, in 1747, was followed by the peace of Aix-la-Chapelle, by which, as it seemed, all the blood and treasure poured out like water during nine years of devastating war were recklessly thrown away. France, the really victorious Power, restored Maestricht and Bergen to Holland, Madras to England, and Savoy and Nice to Sardinia, engaged not to rebuild the fortifications of Dunkirk, and finally renounced the Stuart claims. On the other hand, however, England gave up Cape Breton, and silently acquiesced in the Spanish right of search, upon which the war had nominally been commenced. The real profit of the treaty fell to Austria, whose candidate for the Empire was confirmed, and whose Queen, Maria Theresa, at last obtained the acceptance by Europe of that Pragmatic Sanction, by which the hereditary domains of her father had been secured to the female line.

The remainder of Pelham's political career was rendered still more tranquil by the deaths, in 1751, of the Prince of Wales and Lord Bolingbroke; and

though the eye of the Great Commoner must have lighted up as he heard the news from India of Clive's brilliant capture and defence of Arcot, his victories over Raja Sahib, and the taking of Trichinopoly, Covelong, and Chingleput, these great events seem to have made little impression on the country. In 1754 Pelham died suddenly; and Pitt, disgusted at being passed over for nonentities like Legge, who was made Chancellor of the Exchequer, and Sir Thomas Robinson, who became Secretary of State and Leader of the Commons, found an opportunity of resigning office in the following year, leaving the government of Newcastle to welter in inglorious mediocrity.

But Pitt had not now long to wait. During the lifetime of his brother (Pelham) Newcastle had failed to see why he, the owner of many pocket boroughs and an income which enabled him to buy the costly luxury of support, should be reckoned inferior in political importance to his junior in the House of Commons. Now he discovered how hard it was for a First Minister in the Lords to control the Lower House through a nonentity at whom every one laughed, and whom Newcastle himself did not entrust with the important secrets of "management." He had lost the powerful support of Henry Fox in 1754, by his obstinate refusal to make him a confidant in this delicate matter; for Fox very justly explained that he could not possibly manage the House of Commons, unless he knew who was being bribed and to what extent. Now (1755) Newcastle thought better of it, and induced Fox to accept the office of Secretary of



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STATUE OF LORD CHATHAM (1708–1778) IN ST. STEPHEN'S HALL, WESTMINSTER.

. By D. Macdowell R.A.

State, poor Sir Thomas Robinson being quietly shelved. But he was still resolutely bent on excluding Pitt, of whom he was honestly afraid, with all the terror of a little mind for a great one. Meanwhile, however, the Cabinet drifted irresolutely into another war with France; and it soon became clear that Pitt was the one man for the situation. He strengthened himself by a close alliance with the Princess of Wales, thus saving the Leicester House party, and by a marriage with Lady Hester Temple, whose brother, Earl Temple, a man of vast wealth and influence, thenceforth became his firm supporter. In Lord Anson, the head of the Admiralty, he found a warm adherent. His terms gradually rose. Formerly he would have been content with a seat in the Cabinet; now he demanded the leadership of the House of Commons. The Government went from bad to worse. At the end of 1755 came the terrible news of the destruction of Braddock's forces at Fort Duquesne. At the beginning of 1756, the nation was cheered by the news of a treaty with Prussia; but Frederick, the Prussian King, was one of the best-hated men in Europe, and the alliance was instantly threatened by a league between Austria, Russia, and Saxony, while it seemed only too probable that France would join the coalition. Byng failed to relieve Minorca. A French invasion was feared, and the national pride received a severe blow by the spectacle of Hessian and Hanoverian troops, hastily brought over to defend the shores of Britain. Finally, in the autumn of 1756, came the news of the capture of Calcutta



(1711–1779.)

by Surajah Dowlah, and the deliberate murder of 123 English prisoners in the Black Hole. It was a time at which, if ever, England stood in need of her best men; and with one voice the country called for Pitt.

But Pitt was determined not to place himself again in a false position. He flatly refused to serve under Newcastle, or to accept anything less than a Secretaryship of State with the leadership of the Commons. Further than this, he determined to secure places in the Cabinet for a number of his personal friends, sufficient to enable him to speak with weight at the Council Board as well as in the House. He named his brother-in-law Temple, George Grenville, and Legge. It is more than probable that Newcastle had, for purposes of his own, exaggerated the King's dislike of Pitt; but the monarch was staggered by these audacious proposals, and Newcastle once more had hopes. At the critical moment, however, Chief Justice Ryder died; and his place was claimed by William Murray, afterwards the great Lord Mansfield, next to Fox incomparably the ablest supporter of the Newcastle government in the House of Commons. Finally, Fox also tendered his resignation, and the King was obliged to give way. To break the abruptness of the blow, however, the Duke of Devonshire, a great Whig potentate of considerable ability, was asked to fill the office of First Lord of the Treasury; and he, with some reluctance, consented. Pitt's nominations were accepted, and the new Ministry began its work in the autumn of 1756.

But trouble soon appeared. The forces of Opposi-

tion were strong; for, though Pitt was undoubtedly the choice of the country, it was far from certain that he was the choice of Parliament. It must never be forgotten that, until the Reform Act of 1832, the House of Commons but faintly represented the feelings of the nation. The very success of the new system had contributed powerfully to this result. The extreme value of a Parliamentary seat had caused the control of elections to be eagerly coveted by aspiring politicians. The county representation was still fairly open; for the continued fall in the value of money was steadily extending the area of the forty-shilling franchise. But the inequalities and anomalies of the municipal system had rendered the boroughs an easy prey to the speculator. The changing condition of industry had reduced towns once populous to the level of mere villages, in which all the influence was easily acquired by unscrupulous bribery, while the rapid growth of population in other centres had not brought about political representation. The royal prerogative of summoning fresh boroughs, though never formally abolished, had, by tacit consent of all parties, fallen into abeyance before the end of the seventeenth century.[1] Secrecy of debate in Parliament, once necessary in the interests of independence, was now jealously maintained in the interests of corruption. It did not suit honourable members that their constituents, and the country at large, should know what was said or done in Parliament. Even the printing of the voting lists was watched with great

[1] The last example of its exercise is said to have been the case of Newark, in 1673.

jealousy, and only occasionally permitted. For nearly a quarter of a century, Newcastle and his friends had been amassing Parliamentary influence; and they used it unscrupulously against the new Ministry. Pitt's power in the House was different from that of Walpole or Pelham. It was great in Opposition; for many of the Government nominees, not wholly given over to corrupt influences, shrank from incurring the withering force of his satire, or the thunder of his denunciations. But Pitt had none of those arts of management which Walpole and the Pelhams used with such effect. He ostentatiously despised the details of administration, which, to the average politician, are the supreme interest of life. Moreover, although, as has been said, the King's dislike of him was probably exaggerated by Newcastle, yet it was at this time very real. George had not forgotten the scornful references to Hanover; and he looked with deep suspicion on the connection between Pitt and Leicester House. Finally, even with the country Pitt for a time lost popularity, by his generous protection of Byng, whom the Admiralty desired to offer up as a scapegoat for the failure at Minorca. The three influences were too much for him; and his enemies were not slow to take advantage of their opportunity. In less than six months Pitt and Temple were abruptly dismissed from office; and it seemed as though the power of the Great Commoner was at an end.

But this temporary check was only the prelude to a signal triumph. The real weakness of Devonshire's Cabinet had been its weakness in Parliament. Few



THOMAS, DUKE OF NEWCASTLE (1715–1768).
Portrait by William Hoare.

people doubted Pitt's ability, or, in spite of its temporary check, his real popularity in the country. It seemed fairly obvious, that the only way out of an apparent deadlock was by an union of Newcastle's Parliamentary influence with Pitt's talents and prestige. But it is striking testimony to the surviving power of the royal preferences, and to the jealousies of public life, that, in the supreme crisis of the Seven Years' War, with the fate of the world at stake, it took nearly three months to come to the conclusion which most practical men must have regarded as inevitable. Party principles had almost disappeared. Newcastle had no policy, except the policy of office. No one could doubt that a vigorous prosecution of the French war was essential to the very existence of the State, and that in Pitt the country possessed an ideal War Minister. At length personal difficulties were overcome. Devonshire, with creditable patriotism, gave up the Treasury, and continued to support the Government in the honorary office of Chamberlain. Newcastle returned to the Treasury and the nominal leadership of the Ministry. Pitt and his friends—Temple, George Grenville, and Legge—resumed office, with the understanding that the real control of affairs should be in the hands of Pitt.

Almost at once, as if by magic, the face of affairs changed. The terrible defeat of the Duke of Cumberland at Lauffeld, and the consequent surrender at Klosterseven, were the last tragedies of the old order. Before the end of the year (1757) came the news of the brilliant victory of Clive at Plassey, and the conquest of Bengal. In 1758 the recapture of

Fort Duquesne wiped out the memory of Braddock's defeat, and secured Western America for the British. In the same year, the capture of Louisberg and Cape Breton threatened the French supremacy in Canada. Liberal subsidies to Frederick of Prussia enabled him to hold the Continental alliance at bay. Vigorous attacks on the coast of France prevented the despatch of reinforcements to the French in America. In 1759 the disgrace of Lauffeld was retrieved by the great victory of Minden, in which the French were routed by the new commander of the British and Hanoverian troops on the Continent, Ferdinand of Brunswick. But this was as nothing to the brilliant series of victories at Ticonderoga, Crown Point, Niagara, and finally on the Heights of the Abraham, by which the whole of Canada was wrested from France, and the equally brilliant series of Wandewash, Pondicherry, and the Hooghly, whereby the power not of France only, but of Holland, was for ever broken in India. In less than four years the nation passed from the depths of despair to the summit of glory. A world-empire had arisen, as it were in a night. In 1757 Britain was the least of the great Powers, if indeed she could claim to rank at all with France, and Austria, and Spain. In 1760 she embraced the earth with both arms, and bade fair to restore the fabled greatness of the mighty empires of the ancient world.

It would appear incredible, that a Ministry which had achieved such miracles should be on the brink of destruction; yet such, in fact, was the case. In 1760, at the height of his kingdom's glory, George II.

died; and the advent of his successor announced a new era in English politics. Almost at once (October, 1761), Pitt, who had discovered the existence of a secret treaty, known as the Family Compact, between France and Spain, resigned because his colleagues refused to credit his information. The hollowness of their excuse was shown when, in the very next year, the war which he had urged was declared. But, in truth, a new influence, incompatible with existing arrangements, was at work; and the speedy resignation of Newcastle marks the transition to a different order.

To conclude this chapter, it may be well to indicate the real contribution of Pitt's first two Ministries to the evolution of the Cabinet System. His advent to power in 1756 points to the appearance of a new factor in politics—the factor of public approval, as distinguished from the approval of the House of Commons. That this new power was perfectly realised by the King, is shown by George's famous remark to Pitt himself. "You have taught me," he said, "to look for the sense of my subjects in another place than the House of Commons." But Pitt's dismissal in 1757, and his subsequent difficult reconciliation with Newcastle, showed, too, that mere popularity, without the steady exercise of Parliamentary influence, though it might place a Minister in office, was not sufficient to keep him there. It is easy to assume that the man who pleases the nation must also of necessity please the representative House. In an ideal democracy the assumption would, no doubt, be approximately true. But England in 1756 was

very far from being an ideal democracy; and the so-called representative House was, in fact, one of the great bulwarks of aristocratic privilege. It may be that, in spite of Reform Bills and Ballot Acts, the House fulfils an analogous function at the present day. At least it is well to bear in mind, that the Chief Minister of England is not, like the American President, chosen by the direct suffrages of the people,[1] but by a curious process of indirect selection, the precise character of which is still not entirely free from dispute.

[1] Curiously enough, the framers of the American Constitution attempted to provide an indirect system for the election of the President. But, as every one knows, the double election has been a farce for more than a century. And, in any case, the presidential electors are chosen *ad hoc*; and it is expressly provided that they shall not be members of the legislative body.



VII

A PATRIOT KING

DURING the first twenty years of the long reign of George III. the last serious attempt to stifle the growth of the Cabinet System took place. It was so vigorously conducted, so long maintained, and so nearly successful, that a study of its methods becomes imperative at this point.

It is usual, of course, to attribute the attack to the personal efforts of the young King who ascended the throne in 1760. George III. was the son of that Frederick, Prince of Wales, who had faithfully adopted the Hanoverian tradition, by which the eldest son of the reigning monarch assumed an attitude of hostility to his father, and whose house had been the meeting-place of those "Patriots" of whom Walpole spoke with such bitter contempt. In a sense, the Opposition which gathered round the Prince may be termed the first example of a "constitutional Opposition," for it did not, as the Jacobite Opposition did, aim at changing the dynasty. But it was unfortunate that it should seek the protection

of the Heir-Apparent; for such a course inevitably imperilled the growing maxim of government, so essential to the success of the Cabinet System, that the monarch should take no personal part in politics.

On the death of the Prince, in 1751, his widow, the Princess Augusta of Saxe Gotha, continued, though with some caution, the attitude of her husband, more particularly in her dislike of the system by which, as it seemed to her, the monarch was reduced to the position of a cipher in his own kingdom. As this system had been, emphatically, the work of the Whigs, it was natural that she should be drawn towards their rivals, the Tories, who were now, owing to the deaths of the older members of the party, and the virtual abandonment of the Stuart claims, becoming rapidly reconciled to the Hanoverian dynasty. But it was somewhat ominous, that both Harcourt and Waldegrave, Tories as they were, and very far from favouring the independence of Ministers, had been found incompatible with the ideas which received favour at Leicester House after the death of the Prince of Wales, and had been compelled to yield to the more pronounced servility of Bute and Stone.

The education of her youthful son, the future monarch, played, of course, a great part in the plans of the Princess. It is commonly assumed that Bolingbroke's famous tract, *The Idea of a Patriot King*, was written with a special view to the formation of the mind of the young Prince; and, though we may well doubt whether a man of Bolingbroke's notorious

character could ever really be trusted by one whose whole fortunes were bound up with the Hanoverian succession, it can hardly be denied that this at least was the popular belief at the time. The pamphlet itself, at the present day, reads like a string of the veriest platitudes. But it was directed, with consummate skill, against those whom, despite their lenient treatment of him, its author regarded with feelings of bitter aversion; and we may be well assured, that there were not wanting those who would interpret its hidden allusions for the benefit of the Princess and her son. Moreover, there were certain lessons inculcated by it which could hardly fail to be acceptable to the ears of royalty. "First then, he" (the Prince) "must begin to govern as soon as he begins to reign." Such advice was not likely to be thrown away on the daughter-in-law of George II. "To espouse no party, but to govern like the common father of his people" would appear, to a youthful and ambitious prince, the plainest duty of his position. But if the Patriot King is to "espouse no party, much less will he proscribe any"; for, as the writer suggests, and with some reason, Toryism is now clear of the taint of Jacobitism. On the other hand, the really sound advice of Bolingbroke, to allow personal favourites no share in matters of State, appears to have been neglected; for do we not all, princes and private men alike, select from the advice of our counsellors such items as please us, and overlook those which go not with our feelings?

A much more respectable Mentor of the youthful Telemachus was Sir William Blackstone, whose

rising fame as a jurist almost exactly tallies with the most impressionable years of the future King. His famous *Commentaries on the Laws of England*, though not published till 1765, had been taking shape for at least ten years previously; and it is confidently stated that the manuscript was borrowed for the use of the Prince. Deeply respectful of authority, while at the same time maintaining an appearance of independence, florid in expression, cheerfully optimistic in style, easy of comprehension, Blackstone's lectures were exactly fitted to captivate a mind like that of George III. Blackstone was a lawyer, lecturing on law, and he therefore, quite properly, ignored all those conventions and practices, which, however essential to the conduct of daily life, had not obtained definite recognition by Courts of Justice. More particularly was this the case in the chapters in which the writer dealt with the government of his country. All that intricate growth of custom which, as we have tried to show, had, in the previous half century, completely altered the character of English politics, he entirely overlooked; for it had not when he wrote (has not even now) become part of that law of which Courts of Justice take account. With Blackstone, the King is "not only the chief, but properly the sole, magistrate of the nation," and the author does not deem it necessary to "investigate the powers and duties of His Majesty's great officers of state, the lord treasurer, lord chamberlain, the principal secretaries, or the like; because I do not know that they are in that capacity in any considerable degree the objects of our laws, or have any

very important share of magistracy conferred upon them." It is easy to understand that the pupil of Bute, whose close friendship with the Princess was causing scandal even before the death of George II., should adopt the view, that the whole system of Cabinet government was a deliberate encroachment upon the just rights of the monarch, harmful alike to King and people. From the very moment of his accession, the youthful King bent himself, with all the tenacity of a singularly tenacious mind, to restore the medieval monarchy.

But it is hardly to be supposed, that the will of a youthful monarch, without political experience and with very little natural intelligence, would have succeeded in upsetting, even for a time, a system which it was the interest of so many powerful statesmen to maintain, unless it had been favoured by special circumstances.

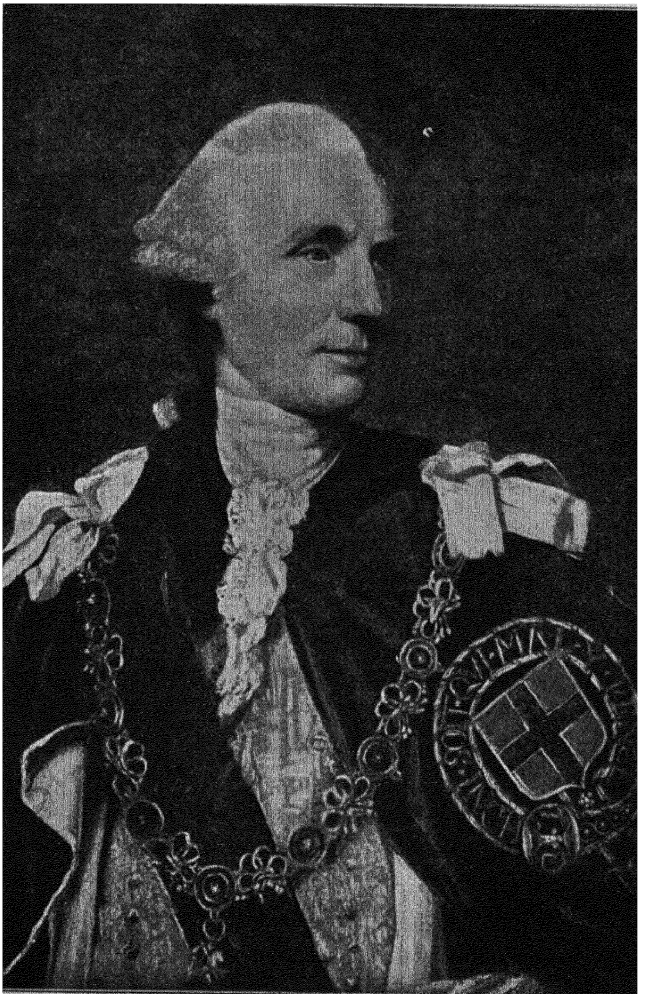
One of these circumstances was the condition of political parties in England. The great weakness of the Cabinet System at the time lay in the fact, that it was the possession of a single party. The Tories had never accepted it. Long excluded as a party from all hopes of office, they had never ceased to denounce the system of Ministerial patronage which, as they alleged, was practised with the sole object of accumulating offices in the hands of greedy adventurers. As a consequence of their exclusion from power, what may be called the practical Opposition, *i.e.*, the possible successors of a defeated Ministry, had long consisted of discontented members of the party in power. Differing thus from one another on

no great principles, but only on personal questions, it was inevitable that the struggles of Ministers and Opposition should sink to the level of mere factious disputes about place and power. This truth had been strikingly manifested in the long interval which had elapsed between the fall of Walpole and the accession of Pitt to high office; and although the latter event had brought into existence a Cabinet which, after an almost unprecedented series of triumphs, seemed to present an unassailable front, yet Pitt himself, the very man who represented the new order, disgusted with the tyranny of Newcastle, was borrowing the language of Bolingbroke, and talking of the necessity of breaking up party divisions. Thus one great party, just reawakening to life after an enforced torpor of half a century, and inheriting from its Jacobite ancestry a tradition of prerogative, was positively hostile to the Cabinet System, while the most distinguished member of the other was expressing, with all the vigour and recklessness which characterised his actions, his disbelief in that system.

As he looked abroad, the King found still stronger confirmation of his views. Whilst the last hundred years had done much to lessen the personal weight of the monarchy in English politics, the same period had witnessed an extraordinary development of absolutism on the Continent. The long reign of Louis XIV. in France had resulted in a system in which everything turned upon the personal caprice of the King. The nobles had been converted into Court grandees, who vied with one another in abject

servility to the Crown. The disappearance of the States-General had left even the power of taxation in the hands of the monarch; and although the Parliaments, or Supreme Law Courts, made a show of resistance, the absence of an uniform system of law weakened and divided their counsels. The rising power of Prussia was simply a drilled camp obeying the commands of the King. In Austria and in Spain the one avenue to political office was the personal favour of the monarch; and the steady advance of Russia in European importance threw a powerful weight into the scale of despotism. George could not but feel that, beside his brother monarchs, he would be a king in name only if he accepted his grandfather's position; and, conscious of his popularity and of the honesty of his aims, he determined to make a bold bid for power.

His first choice of an adviser was characteristic. During the last few years of George II.'s reign, Lord Bute had secured a complete ascendency in the councils of Leicester House; and the great object of the young prince and his mother had been to secure for the King a recognition of his alleged merits. By dint of unscrupulous manœuvring they had succeeded, even before the old King's death, in overcoming the latter's dislike of the favourite, to the extent of obtaining for him the office of Groom of the Stole. The rancour of national and political feeling forbids us to accept the contemporary estimate of Bute as any approach to the truth. But there is, on the other hand, no evidence that he had any political ability. His original patron, Frederick, Prince of Wales, said of



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THE EARL OF BUTE (1713–1792).
Portrait by Sir Joshua Reynolds.

him, somewhat unkindly, that he would make an excellent ambassador in a Court where there was no business; and it was undeniable that he owed his fortunes almost entirely to his handsome person and the servility of his views. He was now called upon by the King to draw up the Speech to be delivered by the new ruler at his first Council; and, so far more successful than Compton at the accession of George II., he managed to produce a draft of a kind. The jealous criticism of Englishmen saw matter of suspicion in the fact that the King was made to glory in the name of "Briton"[1]; but Pitt found far graver cause for censure in the clause which stigmatised the war as "bloody and expensive," and he insisted that, in the copies printed for circulation, the qualifying epithets of "just and necessary" should be added. It was soon evident, that the line to be adopted by the favourite was that of procuring a peace at all costs; and the obvious purpose of the King, combined with the skilful sowing of discord between Pitt and Newcastle, produced, as we have seen, the resignation of the former in 1761. Even before that time a palace intrigue had got rid of Lord Holdernesse, Pitt's colleague in the secretaryship of State, and, to the disgust of the Cabinet, his place was filled by Bute. Almost at the same moment, Legge, the Chancellor of the Exchequer, a personal enemy of the favourite, was rudely dismissed, his place being filled by Lord Barrington, a devoted adherent of the prerogative; while Charles

[1] The satire of the time alleged that the draftsman originally spelt the word "Britain."

Townshend, a brilliant but erratic genius, destined to outvie the follies of Carteret, was admitted to office as Secretary at War. In 1762 Newcastle, now thoroughly baffled, was compelled to resign; and Bute, throwing off all disguise, appeared in the great office of First Lord of the Treasury, as the ostensible head of the Ministry, while to Sir Francis Dashwood, an utterly reckless adventurer of notorious character, was given the responsible post of Chancellor of the Exchequer. Thus, in less than two years, a Ministry, which had raised the country to the height of glory, was driven from office to make way for a Ministry of Court favourites and buffoons.

So rapid was the change, and so vigorous the onslaught, that the forces of Opposition seem for the moment to have been paralysed. Bute pushed on the negotiations for peace, and found his enemy, as might have been expected, only too ready to treat with one who manifested the utmost willingness to grant easy terms. Nor can the Peace of Paris (February 10, 1763) be regarded as unfavourable to Great Britain. The victories of Wolfe and Boscawen secured the great Dominion of Canada for the British; the French only kept the little islands of St. Pierre and Miquelon off Newfoundland. In America, the Mississippi became the boundary of British rule; and Spain gave up her claims to Florida. The national pride was gratified by the restoration of Minorca, notwithstanding the failure of Byng; and the French king undertook once more to demolish the fortifications of Dunkirk. On the other

hand, the French received back Pondicherry and their other Indian possessions, though with a condition that they should not be fortified; and Spain, which had suffered severely in the last two years of the war,[1] recovered Cuba, Havannah, and the Philippines, while Louisiana was ceded to her by France as compensation for the loss of Florida. The West Indian islands were divided between Britain and France; but Britain obtained the lion's share.

Bute, however, had not succeeded in carrying out the King's wishes without making at least one humiliating sacrifice. He soon discovered that it was impossible to carry on the government, without a really strong representative of the Court in the House of Commons. The King might employ the secret service money and use the Crown influence at elections; but the House, secure in the secrecy of its debates, could not be brought to heel by directions issued from a distant council-chamber. Sir Francis Dashwood, the natural representative of the Government in the House, was a mere Court nominee, without influence and without political reputation. The nature of his principles may be gathered from the fact that, after bringing forward the first Radical resolution in favour of Parliamentary Reform, and making himself notorious as the chosen friend of the demagogue Wilkes, he accepted office in a Ministry, the chief object of which was to destroy popular

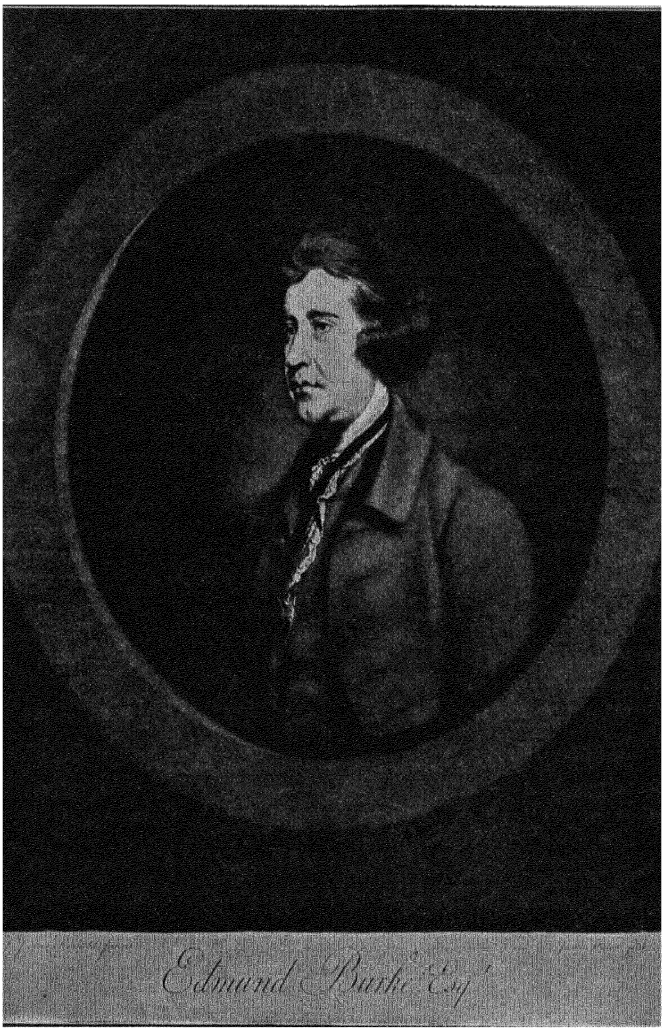
[1] Pitt's prescience had been shown by the fact that, in the very next year after his resignation, the Ministers who forced that resignation had been obliged to follow his advice and declare war against Spain.

influence in politics. Bute accordingly cast his eyes on Henry Fox, Newcastle's old colleague, a man of great ability and experience, who then enjoyed the lucrative office of Paymaster of the Forces, but without a seat in the Cabinet. Fox was, personally, most distasteful to the King, and it was with the greatest difficulty that the monarch could be brought to yield to hard necessity. At last he gave way, and the wisdom of the step was shown by the success of the new Minister in persuading the House to accept the Peace. But the bargain reeked of iniquity, and the disgraceful corruption which Bute and Fox had to practise seems to have soured the tempers of both. The Government embarked on a course of savage persecution of its opponents, which roused the bitterest feelings of hostility in the nation, and threatened to inflict on the country the worst evils of the "spoils system," without the excuse that such a desperate remedy was necessary to maintain party government in existence. Newcastle, Grafton, and Rockingham were deprived of the lieutenancies of their counties, although the post had hitherto (with rare exceptions) been treated as a life office. Devonshire was dismissed from the Chamberlainship and the Privy Council with every circumstance of ignominy. Nor did the persecution stop at high rank. Humble officials, whose only crime was that they had owed their positions to Whig Ministers, were hunted out and dismissed. Pensions which had been bestowed for really meritorious services were forfeited. Every effort was made to render it perfectly clear, that no one who

was not prepared to follow blindly the directions of the Court need ever hope for the slightest recognition by the State.

But Bute was very much mistaken if he supposed that a high-spirited nation would tamely submit to treatment of this kind. Englishmen may easily be led by flattery, too often, it is to be feared, by bribery. But they will seldom submit to be bullied, least of all by a man whom they regard as an alien. In the hour of his apparent triumph, Bute felt the ground slipping from beneath his feet. The murmur of sullen resentment grew louder. No persuasions or threats could induce the great public bodies of the country to offer congratulations on the Peace. The people much preferred to burn Bute in effigy, and to indulge in scandalous stories about the Princess Dowager. Pitt was still the real leader of the nation. When he joined the King's procession to Guildhall, his coach was surrounded by adoring multitudes; while the King was left in cold neglect. It was in vain that Fox marshalled his well-paid majorities in the Commons. People were beginning to feel that the House itself was not the final arbiter of the nation's destinies. Thoroughly frightened by the storm he had raised, Bute determined to resign. On April 8, 1763, the public was astonished to learn that the all-powerful Minister had given up his office.

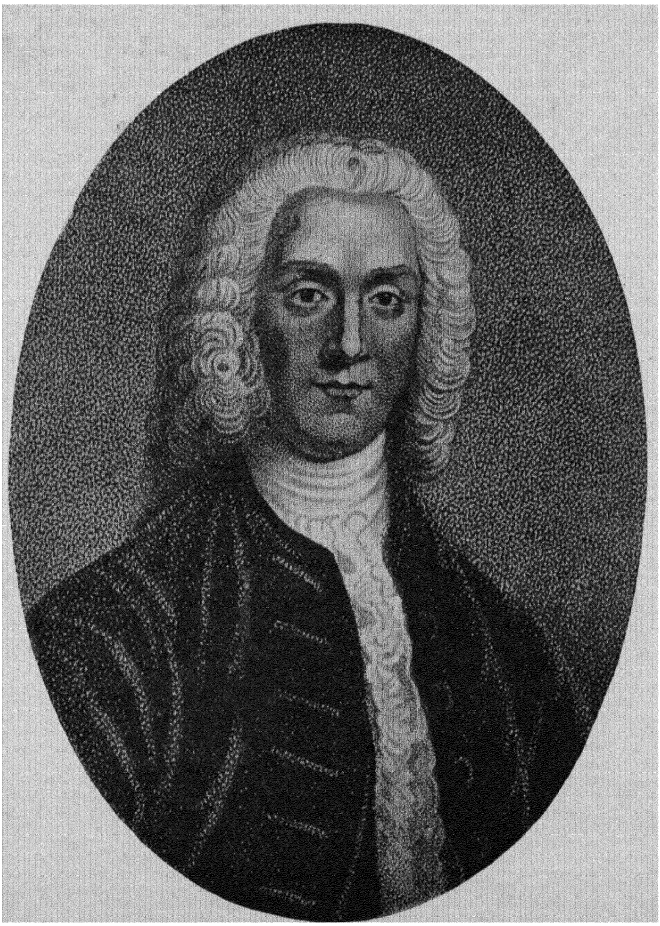
Thus the first attempt to crush the Cabinet System had met an ignominious fate. But if the Whigs imagined that the King would abandon the cherished purpose of his life at the first rebuff, they underesti-



Portrait by Sir Joshua Reynolds.

mated the resources of the man with whom they had to deal.

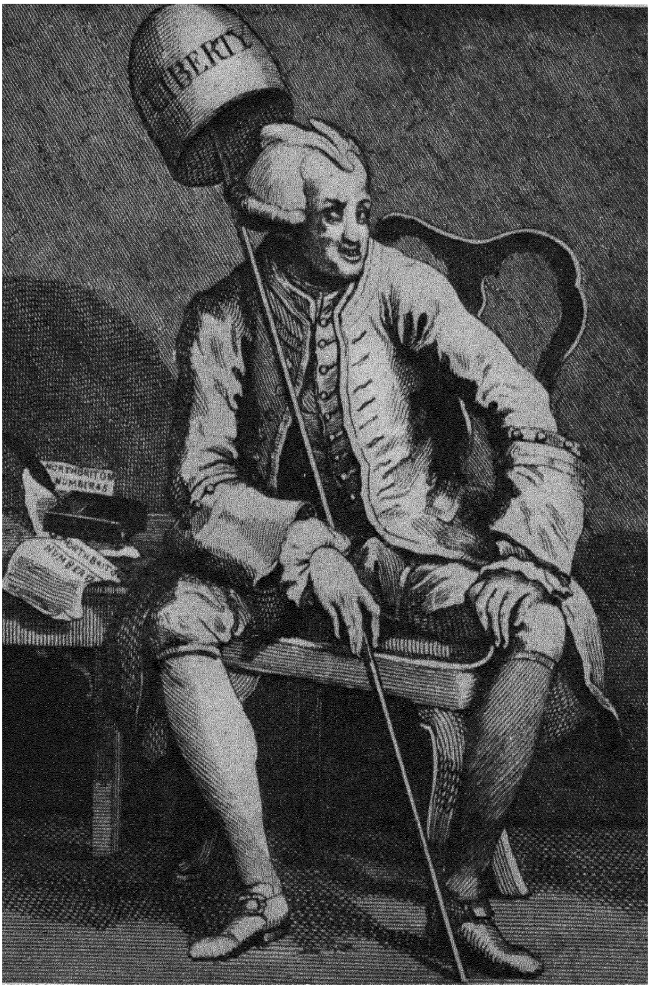
The second stage in the struggle has been depicted for us in the classical pages of Burke, whose *Thoughts on the Cause of the Present Discontents*, published in 1770, is of great value, not merely as a masterly analysis of contemporary politics, but as the first adequate account of that new system which the King was seeking to destroy. The great merit of the work lies in its happy combination of philosophical breadth of treatment with practical knowledge. The writer is neither a mere philosopher nor a mere politician; he is, in the best sense of that noble word, a statesman, a man who overlooks neither permanent principles nor immediate needs, but accords a due weight to both. His language never loses the dignity of literature, though it has all the vigour of journalism. The student who would appreciate its full beauty should compare it with one or two of the contemporary *Letters of Junius*. The latter owe what little interest they now possess to the trenchant vigour of their style, and to the impenetrable mystery which, for nearly a century and a half, has hung around their authorship. Burke's pamphlet is as full of teaching to-day as it was when it was published. Its one defect is due to the brilliance of its author's imagination, which occasionally led him to attribute to the mere temporary schemes of his opponents, a definiteness and a thoroughness of which the authors of those schemes were incapable. But, with due allowance for this drawback, it is still the most luminous guide we have to the seven years which followed the resignation of Bute.



GEORGE GRENVILLE (1712–1770).
Portrait by Ridley.

According to Burke, the objects which George III. set before himself, in the second stage of his struggle with the system which he was determined to destroy, were, to separate the Court, as the centre of the personal influence of the King, from the ostensible Ministry of the day; to maintain a powerful body of followers, dependent entirely on the personal favour of the King, and independent of the Ministry; and, finally, to alienate the House of Commons from the Ministry, and thus to deprive the latter of that stronghold which, in the Cabinet System, is the great source of its power. To this end it was necessary, first, that all men of commanding influence, either in the House of Commons or in the nation, should be excluded from the Cabinet; secondly, that the Ministers should, so far as possible, be confined each to the administration of his own department; thirdly, that the Ministers should be discredited in the eyes of the country, either by their characters, or by the odium of appearing to authorise unpopular acts; and, finally, that, by the exercise of patronage and corruption, the majority in the House of Commons should be at the disposal of the secret agents of the Court.

Nothing can be a surer testimony to the weakness of the political morality of the day, than that such a scheme should have been feasible. The man selected by the King to play the odious part of First Minister in the piece was George Grenville, the brother-in-law of Pitt, a man who owed his official position almost entirely to the popularity of the Great Commoner, but who regarded politics mainly as a profession, and who, on the fall of Pitt's Ministry,



JOHN WILKES (1727–1797).
Portrait by Hogarth.

had not hesitated to take service under Bute. Grenville had not even the excuse of personal devotion to the Crown, for, in his pedantic way, he was a professed Whig, and treated his royal master with a rudeness which led to his dismissal in 1765. With him were joined Egremont, a Tory nobleman of little ability, Halifax, a nominal Whig of equally little weight, Henley, one of the least respectable of the long line of occupants of the woolsack, the Duke of Bedford, an unpopular and notoriously unscrupulous wirepuller, the head of the malcontent Whig faction known as the "Bloomsbury Gang," Gower, one of Bedford's least reputable followers, Sandwich, the profligate companion of Wilkes, and Henry Fox, now Lord Holland, whose conduct over the Peace had deprived him of all claims to political honesty. Within such a body there could be no cordial cooperation, and for such a body there could be no popular respect. It was exactly calculated to illustrate by its defects the principle laid down by Burke that, in a popular system of government, the only sound bases of political authority are power arising from popularity and power arising from connection.

The life of this Ministry was short and disgraceful. Almost immediately after its appointment, the country was plunged into a ferment of excitement by the proceedings connected with the first prosecution of Wilkes. John Wilkes was a notorious demagogue of infamous character, who had established in 1762 a paper called *The North Briton*, which rivalled in outspokenness and scurrility, though not in ability, the famous *Craftsman* of Bolingbroke.

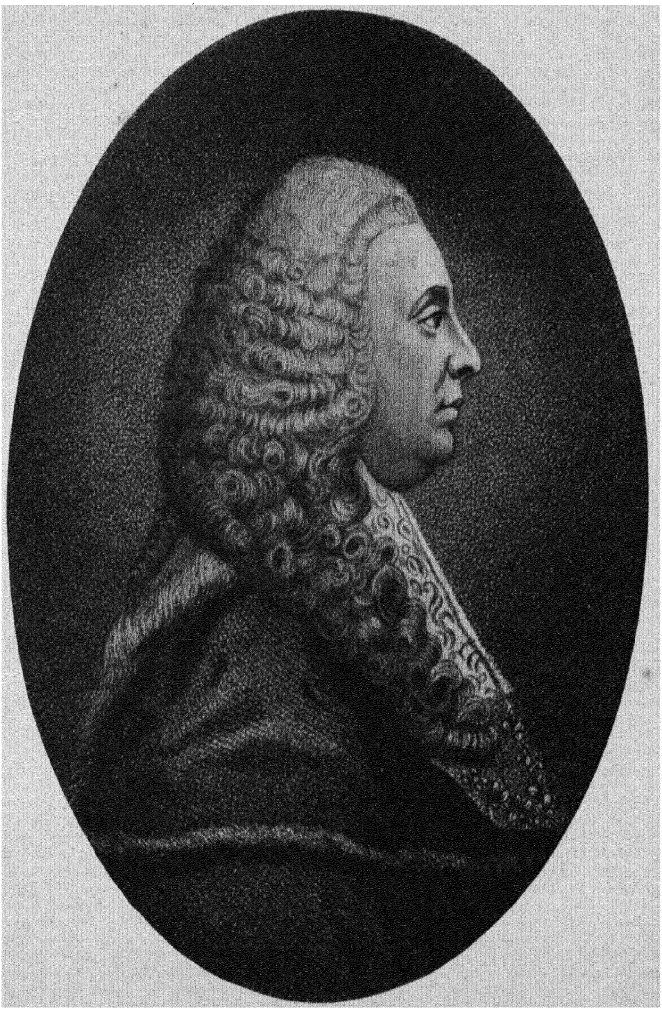
In No. 45 of *The North Briton* there appeared an article, criticising with great severity the royal speech which closed Parliament in April, 1763. The article in question very carefully refrained from making any personal reflection on the King, and ostentatiously treated the Speech from the Throne as the work of the King's Ministers. At the present day, such a course of action would be regarded as thoroughly constitutional; and, even in 1763, it was generally admitted, that the practice of half a century had sanctioned the assumption on which the article was based. But the King chose to consider the attack as directed against himself, and insisted that its author should be prosecuted for a seditious libel. The prosecution was completely political in its character. Halifax, the Secretary of State, signed a General Warrant (*i.e.*, a warrant containing no names) authorising a search to be made for the authors of the alleged libel, a process which resulted in a series of steps such as we now associate with the political system of Russia, and which openly violated a cardinal rule of English justice, that it is for the prosecution, and not for the accused, to furnish evidence in support of a criminal charge. Under the warrant, nearly fifty persons were arrested and imprisoned, including Wilkes himself, who was at this time a member of the House of Commons.

Wilkes lost no time in testing the validity of these proceedings by applying for a writ of *Habeas Corpus*, upon the return of which he was at once set at liberty by Pratt, afterwards Lord Camden, the Chief Justice of the Common Pleas. Unfortunately Pratt, though

he expressed a pretty clear opinion of the invalidity of the General Warrant, rested his decision upon the fact that Wilkes was a member of Parliament, and could not therefore be arrested for anything but treason, felony, or breach of the peace, under none of which categories was included the crime of seditious libel. But the invalidity of General Warrants was expressly asserted a year or two later by the great Lord Mansfield, in the course of actions in which several of the other persons arrested recovered heavy damages against Lord Halifax and his agents.

Nothing daunted by its first rebuff, the Court began a regular criminal prosecution against Wilkes for seditious libel. In this step it was, of course, legally justified, for Chief Justice Pratt's decision had merely pronounced against the regularity of the procedure, not against the substance of the charge. But the King's impatience would not allow him to await the regular issue of proceedings. On the re-assembling of Parliament in November, 1763, he sent a royal message, calling the attention of the House of Commons to the alleged libel. The House promptly responded to the hint, and passed two resolutions, the first denouncing the article in No. 45 as a false, scandalous, and malicious libel, and the second alleging that privilege of Parliament did not extend to such cases.

The bias of the House in these proceedings was evident. The first resolution was entirely outside the scope of its authority, for it was an attempt by a non-judicial body to anticipate the decision of a question which, at that very moment, was pending in



CHIEF JUSTICE PRATT (CAMDEN) (1713–1794).
Portrait by Hopwood.

a regular Court of Justice. The second was a direct reversal of the steady policy of the House during the past two centuries, in which it had striven, by every means in its power, to extend the area of privilege, even to the extent of protecting, not merely members, but their families and servants, from arrest. Moreover, it was entirely contrary to the facts of history.

But the subservience of Ministers and Parliament did not stop at this point. During the proceedings it was whispered that Wilkes had composed an obscene poem, entitled *An Essay on Woman*, for the delectation of the choice spirits of the Medmenham Club. As a matter of fact, it is very doubtful whether Wilkes did really compose the poem; but, at any rate, it is clear that he did not publish it, and could not therefore be guilty of libel. The Government, however, by the employment of its favourite methods, succeeded in getting some of the proof-sheets from Wilkes's printer; and the House of Lords was edified by hearing Lord Sandwich, who certainly knew more of the matter than most people, descant at large upon the wickedness of his former associate, and virtuously demand prosecution of the offender.

Before this time, however, worse had happened. It is to be feared that the annals of England are not free from instances of judicial murder; but it was long since an English Ministry had resorted to the plan of private assassination. Yet in November, 1763, Martin, a well-known agent of Bute, ostentatiously forced upon Wilkes a duel in which Wilkes was gravely, it was long thought mortally, wounded.

There is, of course, no direct proof that Martin was employed by the Court or the Ministry. But there is proof that he had long and deliberately prepared himself for the duel, that he forced it deliberately on Wilkes, that, though the challenger, he insisted on the choice of weapons; and it is undeniably true that, though Wilkes petitioned the House for delay on account of his illness, his petition was rejected, and sentence of expulsion passed in January, 1764, while the Government, during his absence, proceeded to outlaw him in the King's Bench on the charge of libel. Thus the King, both Houses of Parliament, and the Ministers, combined to ruin a single individual, whose one real offence had been that of criticising a public act of government. Such an open display of tyranny provoked the strongest feeling throughout the country. The attacks of the Press became more violent, and were met by relentless prosecutions, while the most shameless corruption was resorted to for the purpose of securing a docile majority in the Commons. Thus, as Burke points out, the House, one of whose most important functions it was to criticise and control the Court, became a mere engine for carrying out its behests.

On the Grenville Ministry falls also the responsibility of taking the first steps in that disastrous policy, which in later years led to the fatal breach with the American colonies. These settlements, after passing through various initial stages, were rapidly assuming a condition of great prosperity. The steady growth of population had done even more than the victories of Pitt to decide the rivalry for the New

World in favour of Britain. With the exception of Georgia, the American colonies had all become self-supporting; and the wise liberality of the preceding half century had gradually converted the old proprietary interests into free and self-governing communities. Judged impartially, and with due allowance for the ideas of the time, the policy of the mother country seems to have been neither oppressive nor ungenerous. The elaborate provisions of the Navigation Acts, introduced by the Commonwealth and adopted at the Restoration, for the purpose of securing the carrying trade of the world to the English mercantile marine, were re-enacted, after the Revolution, in 1696. The system was a bad one; for it involved the maintenance of an army of preventive officials, and imposed annoying restrictions upon the natural development of industry. But there is to be said in its favour, that it was undoubtedly to the permanent interest of the American colonies that their energies should be directed to the immediate development of their vast territories, rather than to international commerce, and that the Navigation Acts did undoubtedly succeed in producing a vast increase of the English shipping. At first the English monopoly of the colonial trade had been confined to enumerated articles; but, as new products made their appearance—rice, molasses, beaver skins, copper ore—these were added to the list, until it became accepted as a principle of British commerce, that the whole of the colonial export trade should be in English hands. As a compensation to the colonies, the growth of tobacco in Great Britain and the Channel Islands had

been entirely prohibited, so that the whole of the vast and increasing demand for tobacco in Great Britain was supplied from the colonies; and a long series of statutes was passed for the encouragement of American enterprise, by the gift of bounties on the import from the colonies of tar, hemp, timber and other naval stores, coffee, and indigo, and for the rebate of duty on new colonial produce, such as silk, flax, whale oil, iron, and pearlash. Best of all, the growth of the commercial spirit in England during the first half of the eighteenth century, and the jealousy of prerogative manifested by Parliament, had prevented the English colonial system assuming, as that of France had done, the character of a religious or military mission, or, like that of Holland, of a jealous official monopoly. So far as their internal affairs were concerned, the colonists, on the mainland at any rate, governed themselves pretty much as they pleased. The so-called "sugar colonies," Jamaica, Barbadoes, and the West Indies generally, having been acquired by conquest, were far more under the control of the Board of Trade; and were, accordingly, the special favourites of the Crown.

Of two very serious grievances the colonists had, however, to complain. As their products grew in volume, it often happened that the mother country was unable to absorb them all. The natural result would have been, that the surplus should be devoted to the extension of foreign trade; but this the restrictions of the Navigation Acts forbade, except in the costly form of re-exportation from England. Accordingly, a great smuggling trade grew up between

the mainland colonies, which grew little sugar, and the French West Indian islands, which, in return for the horses, timber, and other produce of America, sent to the mainland sugar, molasses, and rum. A desperate attempt on the part of the English West India colonies to crush this technically illegal trade was defeated in 1733 by the vigilance of Sir John Barnard, a man to whose enlightened appreciation of sound principles of commerce England owes much; and the West Indians had to be contented with the establishment of a protective system which, bad as it was, at least had the merit of implicitly recognising the direct trade between the French West Indies and America. It has also been mentioned (p. 147) that Walpole, about the same time, took the admirable step of setting free the rice trade of the Carolinas, by allowing the direct export from those colonies to European ports in British vessels. But, in spite of these palliations, the grievance of the Navigation Acts pressed with increasing severity on the growing industries of America.

The second great cause of complaint, and one which was in no way a necessary consequence of the Navigation policy, arose from the determined hostility manifested by British manufacturers to the development of manufactures in the colonies. That protective duties should have been imposed at British ports on the products of American factories, was fully in accordance with the orthodox political economy of the day. But the British Parliament, at the instigation of the manufacturers, went much further. In the year 1732, during Walpole's tenure of

office, an Act of Parliament totally prohibited the export of felts and hats from any British plantation, and even subjected the manufacture for home consumption to vexatious restrictions. In 1750, the manufacture of iron in the colonies was totally prohibited ; and it was even enacted, that if any mill or forge were erected, it should be destroyed as a common nuisance. It was evident from these statutes, that the British policy towards colonial industries was to be steadily directed towards maintaining them in a state of perpetual infancy.

Such was the legal relationship between Great Britain and her American colonies on the assumption of office by Grenville in 1763. But it must not be forgotten, that Pitt's victories on the American continent, by shattering the power of the French, had relieved the colonies from a fear which had, perhaps more than anything else, disposed them to cling to the mother country. Now that this constant anxiety was removed, the colonists were more at leisure to criticise the restrictions which hampered their growing trade, and less disposed to submit quietly to the dictates of British commercial jealousy.

A wise statesman would have foreborne to aggravate the dangers of an already dangerous situation. But Grenville was not a wise statesman. His narrow mind had, even before his assumption of the reins of power, been annoyed by the frequent evasions of the Navigation Acts at which his wiser predecessors had connived. Even as First Lord of the Admiralty, in Bute's Ministry, he had gone out of his way to recommend a vigorous enforcement of

the law; and his remonstrances had been successful in producing a strong feeling of irritation among the colonists. But now he determined on a bolder line. In the year 1764 he introduced into Parliament a Bill imposing Customs' duties on the importation of foreign commodities into America. The fallacy by which he attempted to justify this new departure was exposed with merciless severity by Burke, in his great speech on American Taxation, delivered in 1774. Grenville alleged, that he had but followed the innumerable precedents of the statute book in framing his measure. Burke pointed out that, in reality, Grenville's Act for the first time attempted to raise a revenue for Great Britain from the American colonies, that the earlier statutes had doubtless been in form Revenue Acts, but that their penalty clauses had been inserted, not for the purpose of raising revenue, but solely for the purpose of regulating commerce according to the mistaken but generally accepted ideas of the time. Even the preamble of Grenville's own Act gave him the lie. For the first time in the history of the Navigation Acts a measure, alleged to be in support of that policy, had adopted the phraseology of a regular Bill of Supply. The total produce of the old "Plantation Duties" (as the revenue penalties for infringement of the Acts were called) had been a contemptible sum, hardly sufficient to build a single man-of-war; and no one knew the fact better than George Grenville. Yet his measure spoke openly of the justice and necessity of making the colonies contribute to the expenses of a war which had been undertaken largely for their

benefit; and, as if to mark a definite rupture with the old traditions, he followed up his first measure with an announcement of the intention of the Government to introduce, in the following session, a second Bill, which by no conceivable ingenuity could be brought within the scope of the Navigation Acts—a Bill, namely, for the imposition of stamp duties on legal documents used in the colonies. This measure, which, it may here be said, was duly passed in the year 1765, was peculiarly iniquitous; for at that time, by the long-established policy of the nation, the stamp duties on legal documents were devoted to the payment of the expenses of the administration of justice. And these expenses were, in the colonies, already paid out of colonial funds.

It is hardly worth while to dwell on the hollowness of the other arguments advanced by Grenville in justification of his measures. Great Britain had not expended vast sums in the war for the sake of the colonies, but for her own. Having, by her deliberate policy, deprived the colonies of all chance of creating a navy of their own, she had found herself compelled, on pain of losing her lucrative possessions, to defend them herself. On the other hand, the colonies had made vast sacrifices in men and money during the war. Governor Bernard, of Massachusetts, a strong loyalist, told Grenville that his colony was paying £37,500 a year towards the reduction of its war debt, and that the other colonies were suffering in proportion. On the other hand, the finances of Great Britain were thoroughly prosperous. The war had resulted in a great development of foreign

commerce, and there was no sort of necessity for desperate measures. It seems almost impossible to assign more than two equally discreditable motives for Grenville's policy. The King may have hoped that the anticipated revenue would go to increase the Civil List, and thus enable him to develope his favourite plan of corruption.[1] But it is more than probable that the real motive was an obstinate and narrow-minded determination to enforce what the King and Grenville believed to be the legal rights of the mother country, regardless of consequences. In the emphatic words of Burke, the new policy was "a revenue, not substituted in the place of, but added to, monopoly; which monopoly was at the same time enforced with additional strictness, and the execution put into military hands."

Needless to say, the Acts were received with furious indignation, not only in America, but in commercial circles in England, whose members foresaw the ruin of a valuable colonial trade if they were enforced. For the colonies did not content themselves with sending formal petitions against the measures—petitions which were received with contemptuous indifference by the Ministry; they took vigorous measures to establish what would now be called an universal boycott of goods shipped in British vessels, and of the obnoxious stamp duties. The complete success of their measures may be gathered from the fact, that the total produce of the American

[1] In the Bill as actually passed the fund was reserved for the disposal of Parliament, to be expended for the benefit of the Colonies. But this may have been an afterthought of the Ministers.

duties, during the two years of their continuance, was less than £4,000; the expenses of their administration amounted to £6,837. Burke has vividly depicted for us the scene in the lobby of the House of Commons which followed on the repeal of the measures; and the enthusiasm of that moment is the surest index to the resentment aroused by the measures themselves. But apparently, nothing less than a quarrel with the King could have disturbed Grenville's power. Happily a quarrel of that kind supervened at the critical moment.

In the spring of 1765 George III. showed the first alarming symptom of that terrible illness which was to cloud his later years with a veil of tragedy. It became necessary to provide for the chance of a Regency. Grenville, to whom, as chief Minister, the task of framing the necessary measure fell, worded it so loosely, that serious doubts arose as to the persons in whom the Regency was really to be vested. In the debate in the Lords, Bedford and Halifax, two of the Ministers, succeeded in procuring the exclusion of the name of the Princess Dowager, the King's mother; and Grenville, though passionately entreated by the King, refused to move an amendment, reversing the exclusion, in the Commons. What was the precise motive of Grenville's obstinacy it is difficult to discover[1]; Bedford and Halifax were, no doubt,

[1] His own account (*Grenville Papers*, vol. ii.) is that, as the omission had been sanctioned in the Lords by Halifax and Sandwich with the express permission of the King, an amendment by a Minister in the Commons would cause an appearance of disunion among the members of the Government.

actuated by hatred of Bute. But the working of the new system was triumphantly vindicated, when the House of Commons, instigated by the secret agents of the Court, defeated its own nominal leader, and insisted on inserting the name of the Princess in the measure. A similar defeat would, both before and after 1765, have been the signal for the Minister's resignation ; but it is significant of the change which was coming over politics that Grenville, though he had forfeited the favour both of the King and the House, clung to his office. The King, however, was determined to get rid of him, and, after a desperate struggle of three months, succeeded in finding a successor. In July, 1765, Grenville retired, having, during his two years of office, sown a harvest of dragon's teeth, destined in a few years to plunge the kingdom into foreign and colonial war, and internal strife. He had attempted to trample on the liberty of the subject, to violate the privileges of Parliament, and to override the first principles of political freedom. He was unpopular himself, his colleagues were unpopular, he had done much to weaken loyalty to the throne, and he had even shaken the very pillars of the State by raising doubts of the sovereign authority of the Crown in Parliament. It was not a happy beginning for a new system of government.

VIII

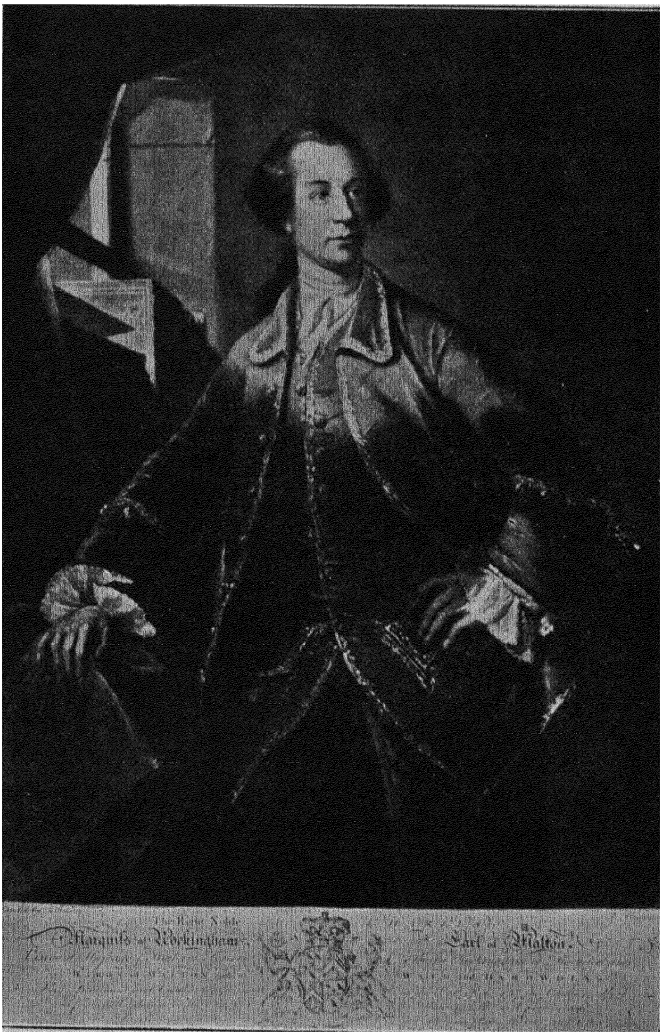
THE KING'S FRIENDS

THE fall of the Grenville Ministry produced an immediate change in the conduct of affairs. After vainly trying to induce Pitt to accept office, the King was at last compelled to call in the Marquis of Rockingham, a young nobleman of no particular abilities, but of high personal character, and the avowed representative of the Whig tradition of government. There can be little doubt that Rockingham's idea was to restore the Cabinet to the commanding position which it had occupied during the Pelham and Newcastle Ministries. The old Duke of Newcastle himself accepted office as Privy Seal, and, for the last time in his long career, enjoyed his favourite pleasure of dispensing patronage. The great Whig Dukes, Rutland, Portland, and Grafton, were included. The management of the Commons was entrusted to General Conway, a distinguished soldier, but not a very good debater; and he was supported in the House by Dowdeswell, the new Chancellor of the Exchequer, who, if he was not a

man of first-rate ability, was at least a great improvement on Sir Francis Dashwood. Somewhat foolishly, Rockingham allowed the Great Seal to remain in the hands of Lord Northington, instead of making the obvious choice of Lord Camden. The popularity of Lord Granby, the Commander-in-Chief, lent additional strength to the Government; but its great good fortune lay in the support of Pitt, who, though he declined to accept office, gave his hearty approval to its measures.

It was by this time clear that the American opposition to the Grenville measures was a very serious thing. The Assemblies of Virginia, Pennsylvania, and Massachusetts, the three leading colonies, passed resolutions strongly condemning the Stamp Act. Letters from unquestionable sources described the condition of the chief towns, especially Boston, as one of continued menace and tumult. The Governors attempted to call out the Militia to repress the disorders; the Militia refused to respond. The disaffection spread to Connecticut, Providence, and Rhode Island, and even to Carolina. The stamp officers, many of them Americans, were forced to resign their appointments. Most significant of all, there were proposals for a general congress of the colonies, to act independently of all constituted authority.

But the protests were not confined to the colonies. To the amazement and indignation of Grenville, who had not foreseen that his favourite measures might injure the English merchant no less than the American planter, the great commercial towns of England began to petition against his policy. London



LORD ROCKINGHAM (1730–1782).
Portrait by B. Wilson.

led the way, and was speedily followed by Birmingham, Wolverhampton, Coventry, Dudley, Macclesfield, Newcastle-on-Tyne, Nottingham, Glasgow, Liverpool, Halifax, Leeds, and Manchester. Their trade, the merchants urged, was being ruined by the suppression of the intercolonial commerce, and by the hostility produced by the Stamp Act. Finally, Benjamin Franklin, examined at great length by a Committee of the House of Commons, stoutly maintained, that the Act was not only unjust, but utterly unpractical, that the means of distributing the stamps did not, in many cases, exist,[1] and could not be established except at a cost which would more than swallow up the returns. With great ingenuity, he contended that the colonies were completely qualified to produce all the necessaries of life for their own consumption; and he did not hesitate to declare that they would rather go without luxuries than import them from the mother country. His testimony to the feeling produced by the Act was clear and unwavering. "The temper of the colonies towards England before 1763 was the best in the world. . . . Natives of Britain were always treated with particular regard; to be an Old England man was of itself a character of some respect, and gave a kind of rank among us." Now the temper was "very much altered." The respect for Parliament was "greatly lessened." If the Act were not repealed, there would be "a total loss of the respect and affection the people of America bear to this country, and of all

[1] Franklin was peculiarly qualified to speak on this point, as he was Postmaster-General of North America.

the commerce that depends on that respect and affection."

The new Ministry determined on conciliatory measures. Even before the meeting of Parliament, in December, 1765, Conway, as Secretary of State, sent a temperately worded circular to the Governors of the colonies, deprecating the disorders, and insisting on a firm front, but suggesting prudence, and hinting at a reconsideration of the offending measures. The report that Pitt had accepted office had already been received with enthusiasm in America, and, in spite of their disappointment at its contradiction, the colonists augured well from the fall of Grenville. The chief difficulty lay in the obstinacy of the King; but Rockingham at last, by the promise of a Declaratory Bill, which should assert the abstract right of the Crown in Parliament to make laws for the colonies in all cases, succeeded in procuring his consent to the introduction of repeal. As a matter of fact, the House of Commons had never taken any warm interest in the Stamp Act. It had been a purely Ministerial measure, accepted without a thought of its consequences; and the motion for repeal was voted by a majority of over a hundred. In the Lords there was some difficulty. A series of hostile conditions, breathing fire and slaughter against the colonists, were moved by Lord Bottetort, a creature of Bute, and supported by the great authority of Lord Mansfield. The House readily passed the Declaratory Bill, in spite of an eloquent opposition by Lord Camden; but the second reading of the repealing measure was only carried by a majority of

twelve, and both on the committal and the third reading numerous protests were entered. But the popular enthusiasm which greeted the royal assent to the measure was an unmistakable index of the feelings of the nation; and it is, perhaps, worthy a passing notice that, in the statute roll, the repealing statute takes precedence of the formal Declaratory Act.

It was not, however, to be supposed, that the King would tolerate, for a single day longer than necessity compelled him, the existence of a Ministry which had thus humbled his pride; and it is with a deep sense of pain that the admirers of Pitt are compelled to own, that he it was who rendered possible the change which followed. Even before the adjournment of Parliament, in April, 1766, Grafton resigned office. It is but fair to him to state that he had consistently maintained that, without Pitt, no Administration could be really strong; but this excuse hardly justified him in deserting a Ministry of which, knowing of Pitt's refusal to join it, he had become a member but a few months before. Rockingham induced the Duke of Richmond to take his place; and the Ministry succeeded, before the end of the session, in passing a resolution declaring the illegality of General Warrants. But they gave still further offence to the King by refusing to ask the House for a grant for his younger brother, and when Parliament rose, on June 6th, it was well understood that the life of the Ministry depended solely on the inability of the King to induce others to become their successors. The final blow came in July, when Northington, the

Chancellor, with almost unexampled treachery, sought a private interview with the King, and persuaded him to dismiss his (the Chancellor's) own colleagues, at the same time offering to be the bearer of a message to Pitt. By this proceeding he earned for himself a place in the new Ministry, and the just contempt of his own and subsequent times.

It is possible, and due weight must be given to the possibility, that Pitt believed the King to be honestly willing to entrust real power to the hands of his responsible Ministers. His position at the time was certainly one of undeserved neglect. He had refused office at the fall of the Grenville Ministry solely because Temple declined to join him. Since that refusal, Temple, instead of reciprocating the great sacrifice made by his brother-in-law, had openly sided with his own brother, Grenville, on the American question.[1] On one of the most important subjects of the day, Temple and Pitt were therefore at daggers drawn. Pitt had no Quixotic contempt of office, and he must have felt that he had been cheated out of a glorious opportunity which lay ready to his hand. As has been said, he had allowed himself to use the language of the Court with respect to the iniquities of party government. His loyalty to his former friends was shown by the generous offer which he made to Temple of the most dignified place in the new Administration. But Temple would be content with nothing less than an equal share of

[1] Very characteristically, Temple had celebrated the reconciliation by presenting his brother with a sum of £1,000. (*Grenville Papers*, iii. p. 227.)

power; and Pitt, who, not unnaturally, considered that the man entrusted with the task of naming a Ministry should be its real head, refused the demand, and thus lost the last chance of forming a really powerful Government.

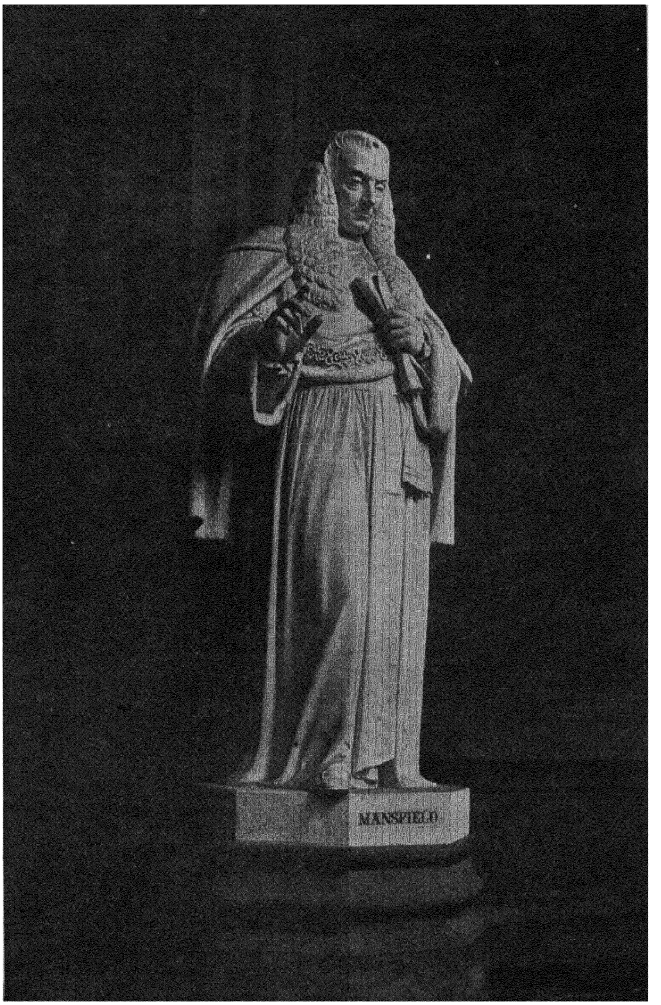
Thus was formed that ill-fated Ministry which, though sanctioned by the great name of Pitt, was destined to take its place in history as one of the most disastrous in our annals. The Whig doctrines of independence and liberality were represented by the Duke of Grafton, the nominal head of the Government, by Camden, who became Chancellor, and by Conway, who retained his office of Secretary of State. The traitor Northington was President of the Council. The other secretaryship of State was given to Shelburne, a nobleman who posed as a warm admirer of Pitt, and who professed to share his leader's present distrust of party connection, but whose undoubted abilities were heavily discounted by the fact that no one believed in his honesty. But the strangest feature in this ill-assorted combination was the fact that the leadership of the House of Commons, with the increasingly important office of Chancellor of the Exchequer, was reserved, not for Pitt, nor even for Conway, but for Charles Townshend, a brilliant young aristocrat who treated politics as a game of plunder, and who, having served under Newcastle and Rockingham, and offered to serve under Grenville, was now equally prepared to take office under a statesman whose avowed object was to break down the Newcastle and Rockingham system, and who had destroyed the policy of

Grenville. For Pitt himself, to the astonishment and dismay of his supporters, and the keen delight of his enemies, insisted on retiring to the Lords as Earl of Chatham, professing that the state of his health did not permit him to face the ordeal of the House of Commons, or to undertake official duties more onerous than those of the Privy Seal.

The conduct of Pitt (or, as we must now call him, Chatham) at this point, and during the next few years, has long been a mystery. As is well known, he retired almost immediately from active politics, and left his distracted colleagues to plunge deeper and deeper into the mire. Ill-health was alleged, and doubtless with some reason, as the cause of this strange conduct. But it is clear that his malady was at least as much mental as physical. Like Pulteney before him, he had been trapped into a false position; and remorse and disappointment preyed upon his mind. Long years afterwards he urged, with passionate vehemence, that he had been betrayed by the flattering assurances of the King, that he had discovered, almost immediately on entering office, that the secret influence which had undermined Grenville and Rockingham, still continued, and was intended by the King to continue, to guide the affairs of the nation. But nothing save an overweening confidence in his own powers, or a deplorable want of insight, could have led him to such a position. He was no child in politics. He had experienced once before the utter impossibility of standing alone against the forces of corruption and combination. The glittering

bait had been dangled before his eyes. He was tempted, and he fell.

The results were disastrous, not only to Chatham's reputation, but to his country. Left to his own devices, Townshend could think of no better plan of healing the American sore than an addition to the existing Customs' duties. It should be noted that the Rockingham Ministry had not procured the repeal of Grenville's Customs Act, which, by a curious irony of fate, remained on the statute book until the year 1867. But Townshend gaily proposed to go far beyond Grenville's modest scheme, and, with the complete approval of the King's friends, introduced and carried an Act imposing additional duties on glass, paper, red and white lead, painters' colours, and tea. His death followed almost immediately after this event; but his policy was ably continued by his successor, Lord North, in whom at last the King found a Minister after his own heart. The machinery of the Customs' House was elaborated and extended to the colonies. The Constitution of New York was suspended, on the plea that the colony had not obeyed the provisions of an Act requiring it to provide quarters for British troops. In 1767 the enforcement of the new legislation was taken away from the ordinary colonial courts, and vested in the prerogative tribunals of vice-admiralty, which were being rapidly established in America, and which knew nothing of such trifles as the common law and trial by jury. The total revenue returns from this suicidal policy averaged £1,000 a year, while the valuable American trade almost entirely disappeared.



Copyright,] [*Sir Benjamin Stone.*

STATUE OF LORD MANSFIELD (1705–1793) ST. STEPHEN'S HALL, WESTMINSTER.

By E. H. Bailey, R.A.

Meantime, another embarrassing question had been revived by the reappearance of Wilkes. Returning to England in the spring of the year 1768, he surrendered on the judgment of outlawry, and was tried on the original charges of libel. Lord Mansfield, making no allowance for the sufferings which the accused had already undergone, sentenced him to two heavy fines of £500 each, in respect of No. 45 and the *Essay on Woman*, ordered him to be imprisoned for ten months on the first charge and twelve months on the latter (the sentences to run consecutively), and finally, to furnish heavy bail for his good behaviour for seven years after the expiry of his imprisonment. Wilkes at once petitioned the House of Commons upon his privilege, he having before his trial been elected member for Middlesex; and in his petition boldly alleged that the records of the proceedings had been altered by Lord Mansfield without his consent, and that the solicitor to the Treasury, Philip Webb, had suborned witnesses at the trial. Lord North skilfully turned the motion for privilege into a shape calculated to raise the strongest prejudice against the petitioner; and then, having procured its rejection by a large majority, insisted on confining further proceedings to an examination of the allegations against Lord Mansfield and Webb. Whilst these proceedings were pending in the Commons, the House of Lords, at the instigation of Lord Mansfield himself, contemptuously rejected an appeal brought by Wilkes against the judgment of the King's Bench, though it raised the very debatable question of the legality of

criminal informations for libel; and, on the resumption of the proceedings in the Commons, the House, having brushed aside the allegations against Lord Mansfield and Webb, proceeded further to convict Wilkes, on his own confession, of a third libel, written after his return from abroad, in the pages of the *St. James's Chronicle.*

Having thus, as they held, furnished themselves with evidence of offences committed by Wilkes, not only during the previous Parliament (which might be alleged to be purged by his sentence in the King's Bench), but in the existing session, the majority proceeded to pass a fresh resolution of expulsion. The occasion was remarkable for the delivery of a masterly speech by Grenville, who, in complete defiance of his attitude in 1763, urged upon the House the illegality and impropriety of the step. After making a dignified apology for his change of views, Grenville pointed out that the motion alleged four grounds of complaint against Wilkes—the libel in No. 45, the *Essay on Woman*, the existence of the sentence of imprisonment, which would necessarily incapacitate him from attending the House for a period of sixteen months, and, finally, the new libel on Lord Weymouth in the *St. James's Chronicle.* He dwelt upon the injustice of this cumulation of charges, made in the hope of catching votes on different grounds; and then showed that not one of the charges taken singly would justify the motion, and that, therefore, all four taken together could not do so. For the two first libels Wilkes had been expelled from the previous Parliament; and it was in defiance of all precedent to continue a sentence

of expulsion after a General Election. The sentence of imprisonment, he also showed by an appeal to precedent, was no bar to membership. The fourth charge had never been proved in a court of law, and could not, therefore, be the subject of proceedings in the House. Finally, the speaker dwelt, with prophetic foresight, on the extreme unwisdom of converting Wilkes into a popular hero, pointed out the obvious fact that nothing would please the accused better than a sentence of expulsion, which he had obviously courted by his arrogant demeanour, and suggested that, by the course proposed, the House would commit itself to a conflict with the electors, the end of which no man could foresee.

Seldom has a prophecy been more rapidly fulfilled. The Middlesex electors at once took up Wilkes' cause. A meeting called by his opponents at the King's Arms was mobbed; an Address which was on its way to the King was captured and its attendants insulted, while a hostile demonstration forced its way into the precincts of St. James; the Ministerial candidate at the new election was so terrified that he withdrew his nomination, and Wilkes was triumphantly re-elected. Thereupon the House, by an overwhelming majority, after expressions by Lord North so outrageous that even he was compelled to retract them, declared Wilkes incapable of sitting in the present Parliament, and ordered a writ for a fresh election. For a second time Wilkes was re-elected without opposition. To rescue the House from what was now becoming an intolerable position, Colonel Luttrell, who had already distinguished himself by

his violent speeches against Wilkes in Parliament, resigned his seat for Bossiney, and came forward as Wilkes' opponent in Middlesex. The act required considerable courage; but Luttrell was warmly supported by the Ministers, who took special precautions to protect him, and on the poll he managed to secure 296 votes, Wilkes receiving 1,143. The sheriffs, of course, returned Wilkes once more as duly elected; but the House ordered them to attend with the polling books, and then, in spite of another very able speech from Grenville, declared Luttrell to be entitled to the seat.

Things had fallen out exactly as Grenville had predicted. The illegal declaration of the House, that Wilkes was incapable of sitting, had rendered it almost inevitable that it should take the further and equally unprecedented step of awarding the seat to a man whom the constituency had definitely rejected. The persecution of Wilkes had raised a worthless demagogue to the highest pinnacle of popularity, and fostered a spirit of turbulence which, in the critical condition of American affairs, was disastrous to moderation and unanimity. Wilkes was elected an alderman of London, and shortly afterwards sheriff; and his hand is plainly to be seen in the hostile attitude of London, not merely towards the King and Ministry, but towards the House of Commons. In the year 1770 the House came into open collision with the City over an Address presented to the King by the Corporation, which led to a scene of unprecedented violence in the presence of the King himself. Chatham, who had definitely resigned office

in October, 1768, though he despised Wilkes' character and pretensions, threw the whole weight of his eloquence on the side of popular liberties. In the year 1769 there commenced, over the famous signature of "Junius," a series of criticisms, of intense virulence and singular skill, on the various members of the Administration; and the temper of the nation was clearly shown in the refusal of the jury to convict Woodfall, the publisher of a peculiarly violent attack on the King. The last act of humiliation in the struggle between Wilkes and his persecutors came in the year 1782, when the House formally expunged the resolutions of 1769 from its journals; and Wilkes, who had in 1774 once more been returned for Middlesex, and shortly afterwards elected Lord Mayor of London, finally triumphed over his enemies.

Long before this date, however, events of momentous importance had taken place in the quarrel with the American colonies. In the spring of 1768, Lord Hillsborough, whose office of President of the Board of Trade had been converted into a Secretaryship of State for the Colonies, entered upon a renewed course of hostilities. In spite of the fact that the Assembly of New York had held out the olive branch, by voluntarily voting a sum of money as a free gift to the Crown, the Secretary of State issued strongly-worded circulars to the Governors of the colonies, requiring them to take action against the Assembly of Massachusetts, which had been foremost in its assertions of colonial independence. In August, Sir Jeffrey Amherst the Governor of Virginia, who had



FREDERICK, LORD NORTH (1733–1792).
Portrait by Nathaniel Dance.

earnestly but secretly advised against the passing of the Stamp Act, was rudely dismissed from his office, and replaced by Lord Bottetort, a well-known advocate of extreme measures. Troops were hastily sent out, and Governor Bernard, of Massachusetts, who knew the folly of provoking the colonists by a display of force, was severely reprimanded for his endeavours to soothe the hostile feelings of the Americans. In the autumn session of 1768–9, both Houses of Parliament adopted an Address to the Crown which contained the atrocious suggestion, that colonists accused of treason should be brought for trial to England, under the provision of an obscure and obsolete statute of the reign of Henry VIII. The news of these steps was, not unnaturally, received with boundless indignation in America, and war seemed to be imminent.

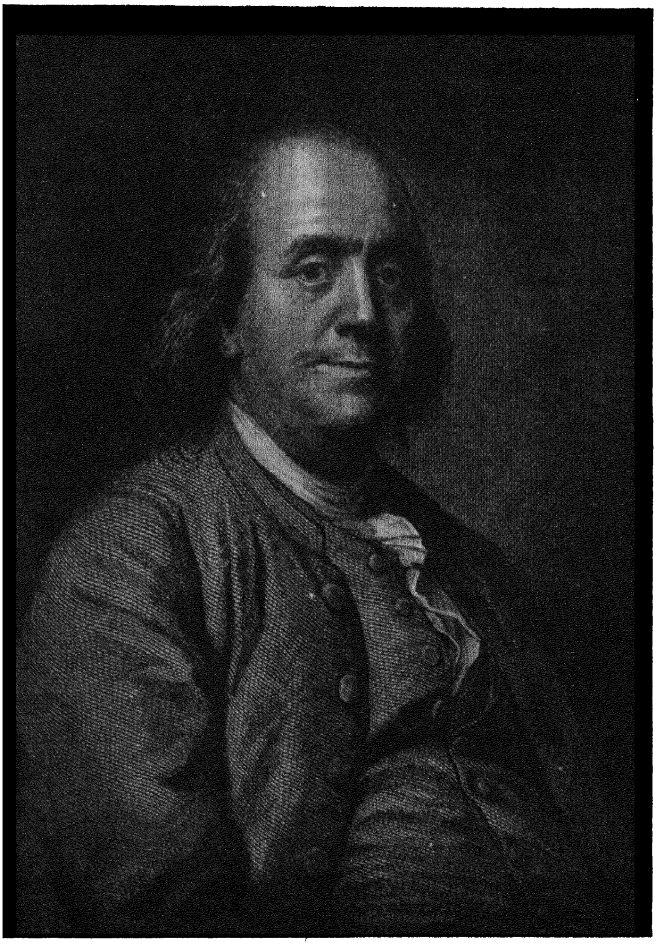
But just at this moment (January, 1770) there appeared a faint glimmer of hope. Grafton, who had made himself unpopular by a scandalous connection with a woman, resigned office; and the King offered the position of First Minister to Lord North, the Chancellor of the Exchequer. It is clear from the letter which he sent to North, that the King had no intention of making a complete change of Ministry; but some of Chatham's friends, amongst them Camden and Conway, took the opportunity of resigning, and their places were filled by the least reputable of the Bedford Whigs, such as Sandwich, Gower, and Rigby. The Ministry of Lord North is also noteworthy as the scene of the first appearance in office of Charles James Fox, a younger son of the first Lord Holland, who was made

a junior Lord of the Treasury, and who, for the next two or three years, steadily and with great effect, opposed every popular measure brought forward in Parliament.[1] North himself seems to have owed his first promotion to the friendship of Newcastle, and to the fact that his father had been in the service of the father of the King; and his political sentiments may, therefore, be supposed to have been divided between the views of the Whigs and those of the King's friends. At first, he inclined towards a liberal attitude on important questions. On the 5th of March he introduced and ultimately carried a Bill to repeal all the duties imposed by Townshend's famous Act, with the single exception of the duty of threepence a pound on tea; drawing a plausible distinction between articles manufactured in England, any diminution in which would be injurious to English trade, and articles which, like tea, were merely imported from elsewhere. He also formally announced the intention of the Government not to attempt to levy any revenue from the colonies beyond that yielded by the tea duties. He further expressed a qualified approval of a thoroughly useful measure introduced by Grenville, to transfer the decision of election petitions from a committee of the whole House, in which the votes inevitably went on party lines, to a more or less independent committee, chosen by ballot at the commencement of each session.

[1] His sentiments at this time may be gathered from a letter which he addressed in August, 1771, to George Selwyn, in which he complains that he finds Clarendon a tedious author, but "hates the opposite party so much that it gives one a kind of partiality for him." (*Selwyn Letters*, iii. p. 11.)

But the royal influence was too strong to be resisted by a man like North, who owed his position entirely to Court influence. The tea duty itself had been retained, as North himself admitted, by his casting vote in the Cabinet; and it can hardly be doubted that his decision was determined by the wishes of the King. The retention deprived the repealing Act of all its grace, for, as every one knew, if revenue had been the only purpose of its continuance, that end would have been easily obtained by collecting the duty on the passage of the tea through the English ports, whereas the English duty of a shilling on the same article had only recently been abandoned. The colonists, therefore, while relaxing their boycott in respect of duty-free articles, maintained the exclusion of tea; and the sore still remained open.

At this juncture an event, disastrous in its influence, and strongly suggestive of the levity and recklessness with which affairs of the greatest moment were then handled by public men, took place in England. Franklin, the well-known representative of American interests, had succeeded, no one exactly knows how, in obtaining several letters which had been written, in the strictest secrecy, by Hutchinson, the new Governor of Massachusetts, and Oliver, the Lieutenant-Governor, to Whately, a former secretary of Grenville, and a member of the House of Commons. These letters, written without reserve, commented freely on American affairs, and revealed a decided bias in the minds of the writers against the aspirations of the colonists. Franklin sent them to Boston under a somewhat specious request for secrecy, which was, of



BENJAMIN FRANKLIN (1707–1790).
Portrait by Duplessis.

course, not observed. The letters were widely circulated in the colonies, and produced an indignation which took the shape of a petition for the recall of Hutchinson and Oliver. The conduct of Franklin can hardly be justified by any high standard of morality; for it is clear that he knew the letters to have been written under strict pledge of confidence, and that he took advantage of the death of Whately, to whom they were addressed, to obtain them from an unsuspicious custodian. But it hardly became a Government, which habitually opened the correspondence of its opponents in the Post Office, to affect virtuous indignation against a man who had but followed the lessons learnt in his own experience of Government service. Yet this was the line adopted. Franklin was at once dismissed from his office of American Postmaster; and when the petition of Massachusetts came before the Board of Trade, Wedderburn, the Solicitor-General, whose political apostasy was fresh in every one's mind, in the presence of a large audience of distinguished men, made a violent personal attack on Franklin, who stood silent and unmoved before him. After a moment's pause of astonishment, the audience burst into a wild passion of cheers and laughter, and the Board at once threw out the petition as "false, groundless, and scandalous." To the credit of Lord North it must be recorded that he, almost alone of the Englishmen present, realised the gravity of the moment. It is said that Franklin, returning to his house with a steady step, carefully removed and folded up the Court suit which he had been wearing,

to lay it aside with the resolve that he would next assume it on the declaration of American Independence. It is certain that the event raised him to the highest point of enthusiasm in the minds of his fellow-countrymen, and that the whole weight of his immense influence was thenceforth bent towards separation.

The merest trifle was now necessary to fire the mine; and the occasion was served by an Act of the year 1773, which allowed the East India Company to export their tea direct to the colonies, instead of disposing of it to English merchants. The measure had been suggested by the Company itself, as part of a general scheme for relief of its pecuniary embarrassments. It is difficult to see exactly how it affected the colonists, who could not be compelled to buy tea against their wills. But the more ardent spirits saw in it a subtle attempt to break down the boycott. The tea would be imported by the Company's agents in America, and, being free of all but the threepenny duty, would be offered for sale cheaper than tea coming from any other source. Perhaps the leaders of the Republican party knew how futile it was to expect their fellow-countrymen to resist a bargain. At any rate, as is well known, they determined to resist the landing of the cargoes. Three ships in Boston harbour were boarded on December 16th by a party of disguised insurgents, and their contents thrown into the sea. News of the outrage provoked a violent feeling of hostility in England. The colonial ports were declared closed to British trade by Act of Parliament; the Constitution of Massa-

chusetts was once more suspended. The Assembly of the colony replied by a general summons to war. In April, 1775, was fought the battle of Lexington, and the fatal struggle began.

It is not within the scope of this work to trace the progress of the American War of Independence. Its main outlines are well known. Until the close of the year 1776, it appeared barely possible that the British, in spite of the incapacity of their commanders, and the mismanagement of the Government, might be victorious. The difficulties with which Washington and the Congress had to contend were almost overwhelming. Intercolonial jealousies, the strong loyalist feelings still prevailing in many districts, the total inexperience and the want of subordination in the American forces, the impossibility of procuring proper equipment for the troops, almost drove the leaders of the revolution to despair. But the brilliant capture of Trenton by Washington on Christmas night put new heart into the colonists, and the surrender of Burgoyne at Saratoga in the following year brought them the invaluable aid of France. This latter event, indeed, stimulated the energies of Great Britain to a desperate resistance of her ancient foe, and rallied to the Government the powerful support of the dying Chatham, who, in a memorable scene, scornfully opposed the Duke of Richmond's proposal to recognise the independence of the colonies. Popular feeling, hitherto lukewarm as to the war, was raised to fever heat; and at one time the British had no less than 300,000 men under arms. But the incapacity of Lord George Germaine at the

Colonial Office, and Lord Sandwich at the Admiralty, went far to neutralise the effects of the national enthusiasm. To the war with France was added in 1779 a war with Spain, and in 1780 a war with Holland. In 1780 the so-called "Armed Neutrality" of Russia, Norway, and Sweden, for the purpose of checking the British naval operations, created a new feature of difficulty. Great Britain stood alone, hemmed in by a ring of foes. In the following year Cornwallis surrendered at Yorktown, and all hope of retaining the colonies was at an end. A great revulsion of feeling took place, and in March of 1782, after a final orgy of corruption, in which, under cover of a national loan, thousands of pounds of the public money were recklessly distributed among the supporters of the dying Ministry, the King was compelled to accept the resignation of Lord North. The Treaty of Versailles,[1] in 1783, formally acknowledged the independence of the colonies, released France from the obligation to demolish the fortifications of Dunkirk, restored to her Saint Lucia, Senegal, and her settlements in India, ceded to her Tobago and the fisheries on the north and west of Newfoundland, and gave back to Spain Minorca and the two Floridas. It was a humiliating contrast with the Treaty of Paris, made twenty years before, when Britain had assumed the lead of the world; and it would have been far worse, but for the great victory of Rodney over De Grasse in the West Indies, in

[1] The treaty between the United States and Great Britain was actually signed at Paris. But the settlement is usually described by the title of the instruments executed by France and Spain.

1782, which had thrown a gleam of glory over the sinking fortunes of England.

For this terrible series of disasters the King had been chiefly to blame. The publication in the year 1867, of the long series of seven hundred letters written by him to North during the latter's tenure of office, most of them in the King's own hand, revealed the fact, that the whole responsibility, not merely for the main outlines, but for the minutest details of administration, in that gloomy period, rests with the monarch.[1] He it was who refused to listen to suggestions of compromise, who obstinately persisted that, if only sufficient firmness were shown, the colonies must give way. In his view (how well we know this argument!) the sole reason for the insubordination of the colonies was the factious opposition of the Whigs, which encouraged them in their resistance. The excesses of the German mercenaries, the employment of the Indian savages, the insults heaped on the colonists by the royal officials, the contemptuous rejections of the colonial petitions, were matters which, to his mind, did not affect the question at all. It was his personal influence that maintained in office, solely because they were willing to act as his tools, Lord George Germaine, whose character he despised, Lord Sandwich, whose incapacity he knew, Suffolk and Wedderburn, whom all honest

[1] The concluding letters also show, pretty clearly, how the King's system was carried on. There are complaints that the bye-elections of 1779–1781 have cost the Government £72,000, while the pension list shocks even the King. (*Correspondence of George III. and Lord North*, vol. ii. pp. 421–8.)

men condemned, and Thurlow, whose coarseness and brutality disgusted even his friends. It was he, finally, who, in 1778, when all eyes turned to Chatham as the one hope of his country, refused to admit to his councils, even at the risk of revolution, the man who was, beyond all question, the foremost statesman of his day, because he knew that Chatham, having once tasted of the bitterness of personal government, would never submit to it again. To say that the colonies would, in the course of a few years, have inevitably claimed their independence, is but a poor excuse for the folly which drove them into revolt. Equally idle is it to point out, that the mother-country in the end gained more by the mighty development of independent America, than she lost by the abolition of an antiquated colonial system. It is impossible to disguise the fact, that the personal government of the King sank Great Britain from the highest pinnacle of terrestrial glory to the depths of degradation, dismembered the Empire, and begot in the hearts of a great nation a feeling of distrust and soreness towards the mother-country which, after the lapse of more than a century, has hardly yet passed away.

It is, however, some consolation to feel, that this long and melancholy period was not entirely without events which can be said to have marked a distinct advance in freedom and good government. In the year 1771, another episode connected with the name of Wilkes established for ever the publicity of Parliamentary debates. The growing influence of the Press had long been viewed with anxious eyes by those

who were unfavourable to popular influence; and the publication, under thin disguise, of the proceedings in Parliament, was regarded with special dislike. There were good reasons why many members of the House of Commons, in particular, should deprecate publicity for their conduct. In the earlier part of the century, the matter had been frequently discussed; and a Standing Order of the House had (as we have said) been directed against the practice. It is needless to point out, that a precaution which, in the sixteenth and seventeenth centuries, had been necessary to protect the House against royal pressure, had become meaningless in the changed conditions of the times. Whoever might be kept in ignorance of the proceedings in Parliament, it was quite certain that the King would know every detail. The more sensible members of the House were willing to tolerate a practice which, so long as it was not openly legalised, could be kept within due bounds. But Colonel George Onslow, the "little cocking George" of Junius' bitter invective, indignant at reflections on his own unimportant person, determined to test the matter. Accordingly, having annoyed the House on various occasions by insisting on the gallery being cleared, he took the further step, in February, 1771, of moving for the production of two newspapers containing, as he said, misrepresentations of his own speeches. Having succeeded in his object, he then procured an order for the attendance of the printers, Thompson and Wheble, and, when they failed to appear, for their arrest. This order was more readily made than executed;

and, though it was actually supported by a Royal Proclamation, Wheble, from his safe retreat in Paternoster Row, boldly defied the authority of the House. Apprehensive of consequences, however, he procured himself to be arrested under the Proclamation by a friend, and brought before the sitting Alderman at Guildhall, who proved to be no other than the famous Wilkes himself. Wilkes, having gravely listened to the charge, not only dismissed the accusation against Wheble, but bound the latter over to prosecute Carpenter, the friendly accuser, for illegal arrest. A similar course was adopted by Thompson, except that, in his case, Alderman Oliver contributed another item of comedy to the proceedings, by granting to Thompson's friendly assailant a certificate of conformity with the Proclamation, under which he lodged a claim for the reward of £50 offered by that document. At length a real arrest was effected of a third printer, one Miller, by a messenger of the House of Commons; but, before the messenger could escape from the City with his prey, he was given into custody for assault, brought before the Lord Mayor, and committed for trial at the next Quarter Sessions.

Summoned to the House to answer for his conduct, the Lord Mayor (Crosby) made a triumphal procession from the City, and, on being admitted, insisted upon taking his place, not at the bar. but in his seat as a member. Being interrogated, he boldly vindicated his position as guardian of the City's liberties. Having already had sufficient experience of the difficulty of overawing Wilkes, the House allowed the proceedings against him to drop; but Alderman Oliver was

subsequently summoned to appear, and finally, after lengthy debates, and tumults within and without the House, Crosby and Oliver were committed to the Tower, where, until the end of the session, they lived in great comfort at the expense of the City, being visited by the leading members of the Opposition, and treated as popular heroes. The ridiculous result of this attempt to enforce the privilege of secrecy virtually gave the death-blow to the privilege itself, and, except on rare occasions, it has not since been enforced.[1]

For another step of a decidedly progressive character the Government, and not the Opposition, are entitled to the full praise. The publicity of Parliamentary Debates was secured in the teeth of the most violent resistance of the King's friends; but the Quebec Act of 1774 was carried by Ministers against the strong remonstrances of the Opposition. The occasion was the fixing of the boundaries of the great province of Canada, acquired by the Peace of Paris in 1763. Shortly after that date, a Royal Proclamation had introduced English law (and therewith, of course, the penal restrictions on Catholics[2]) into the newly acquired territory, and at the same time announced that the Governor had been authorised,

[1] A curious survival of the obsolete theory lingered for some time in the refusal to provide proper accommodation for the representatives of the Press. It would have been too absurd for the House of Commons to deny the existence of a right for the exercise of which they had actually made provision.

[2] The Treaty of Paris had expressly stipulated for toleration of the Canadian Catholics; but apparently this stipulation had been treated in a very narrow sense. At any rate, the Catholic clergy were very uneasy about their possessions.

in due time, to summon a Representative Assembly on the model of those existing in the other American colonies. But the scheme was totally unsuited to the circumstances of the colony. The great bulk of the inhabitants were of French descent. They cared nothing for English notions of political freedom; but they cared a great deal for their religion, which was Roman Catholic. The new measure availed itself skilfully of a religious concession to abolish political liberty. It introduced a scheme of what we should call Crown Colony government by a nominated council; and the levying of taxation was expressly reserved to the Home Government, while the English jury system, which was quite alien to French ideas, was only continued for criminal cases. But the Roman Catholic religion was definitely recognised, if not actually established; and thus the newly acquired province was pacified at a critical moment, and virtually saved from annexation by the insurgent colonies in the War of Independence. It would be ungenerous to detract from the merit of the King and his advisers in this measure by pointing out, that the scheme roused the fiercest hostility in the adjoining Puritan colonies of New England. But this fact must, in equal fairness, be held to justify much of the dislike manifested toward it by the Opposition. The growth of religious toleration is also shown by the passage in 1778 of Sir George Savile's Act, which repealed some of the worst restrictions imposed on Catholics by the policy of the Restoration[1]; and,

[1] Roman Catholic priests were no longer to be liable to prosecution merely as such, Catholic schools were to be allowed, and Catholics

though the bigoted temper of the nation was shown by the disgraceful Gordon Riots in 1780, the firm conduct of the King on that occasion is worthy of all praise. To Lord North, and not to the King, belongs the credit of the conciliatory measures adopted, in spite of a disgraceful exhibition of commercial jealousy, towards Ireland in 1778, hereafter to be explained. It would be unjust moreover to forget, though an account of this measure also must be reserved for the next chapter, the great statute of the year 1773 which, for the first time, extended the control of the Government to the vast territories acquired by the East India Company, and established a Supreme Court of Justice, on the English model, at Calcutta. Finally, a word must be said of the conspicuous services of Lord Mansfield in the cause of justice during his long tenure of office, as Chief of the King's Bench, from 1756 to 1788. Though Mansfield was an uniform supporter of the King's views in regard to the colonies, though he strained the law to the utmost against Wilkes' supporters, by refusing to allow juries to pronounce upon the character of an alleged libel, yet his name is associated with more than one of the judicial decisions upon which the freedom of the subject is so largely based. In the year 1772, in *Summersett's Case*, he pronounced boldly that the status of slavery was unknown to the law of England, and that a negro, the moment he set foot on English soil, was a free man. In *Mostyn* v. *Fabrigas*

were permitted to acquire landed property by purchase or inheritance. Those who claimed the privileges of the Act were, however, compelled to take a very severe oath of allegiance.

(1774) he allowed a resident in Minorca to sue the Governor of the dependency, after his return to England, for a wrong alleged to have been committed during his term of office. In *Campbell* v. *Hall* (in the same year) he pronounced it unlawful for the Crown, after having once granted representative institutions to a colony, to attempt to impose taxes on it by Letters Patent. Above all, by his luminous perception of the principles of law, he adopted into the English system many of the leading rules of that vague body of tradition and usage which, under the name of the Law Merchant, had long exercised a very real, though somewhat precarious control, over the conduct of commerce. He thus not only strengthened immensely the reputation and power of the Common Law Courts, but did much to rescue the common law itself from the lethargy into which it had sunk, and to adapt it to the requirements of a rapidly extending commerce. All these incidents show, that the spirit of progress and liberty, though obscured by the passions of the time, and the prejudices of a narrow scheme of Government, was yet, even in the dark years 1770–1782, making good its position in the heart of the social system, and preparing the way for triumphs in the future.



IX

REVIVAL OF THE CABINET SYSTEM

THE two years which followed the fall of Lord North, though at first sight one dreary struggle between intriguing rivals, are in truth hardly equalled for importance in the political history of the Empire. During this short period, a new era in the world's fortunes dawned with the recognised independence of the United States; the future importance and character of Canada were decided by the immigration of the American loyalists from the south; the relations between England and Ireland assumed an entirely new phase; the dual system of government in British India, which lasted until the Mutiny of 1857, was established; great reforms in the public service, and a new financial policy, marked the revolt against the old system of corrupt influence in domestic politics; the great question of Parliamentary Reform acquired a definite basis; and, finally, an intense struggle, between the Ministry and the Opposition in the House of Commons, resulted in the establishment of the last great principle upon which

the Cabinet System is based. It is worth while to examine with some care the history of these two memorable years.

The acknowledged leader of the party which, for so long, had protested against the system of government by royal influence, was Lord Rockingham. Against Rockingham himself, even the King had no personal complaint to urge ; but George hated him as the representative of a system and a policy which he detested, and it was only the reluctant conviction that no other course was possible, which finally overcame his repugnance, and induced him to entrust the Whig leader with the formation of a government. In the circumstances, the task was no easy one ; for the royal influence, though it had received a severe blow, was still powerful, and Rockingham knew that it would be employed to countermine his policy. Of that policy, he had made no secret. It comprised a frank recognition of the independence of the thirteen colonies, a thorough reform of the corrupt influence of the Treasury, and a generous treatment of the claims of Ireland.

Unhappily for the prospects of the new Cabinet, Rockingham's choice of colleagues was by no means so decided as his policy. In Lord John Cavendish he gained a thoroughly honest and faithful, if not a very competent, Chancellor of the Exchequer ; in Charles James Fox a brilliant if somewhat unscrupulous Leader of the House of Commons ; in Camden a President of the Council of great popular reputation ; in Burke (who was not, however, of the Cabinet) a follower of real genius and exceptional loyalty and

honesty ; and in Grafton a great Whig nobleman, who, though his reputation was somewhat tarnished, and his political creed unstable, might yet be counted a valuable ally. But, yielding to the pressure put upon him by the King, he made the fatal mistake of accepting two men who should never have been admitted to his councils. One of them was Shelburne, who shared with Fox the Secretaryship of State, the other Thurlow, who retained his great office of Chancellor. Shelburne was indeed a professed Whig ; but he openly boasted those views of which Chatham had so bitterly repented, and was always eager to disavow all party connections at the bidding of the King, and he laboured, as has been said, under the most fatal defect in a statesman, a total inability to convince any one of his honesty, even as honesty is understood in politics. Thurlow was an avowed Tory, who, for the next ten years, indulged himself in the malicious pleasure of wrecking, or trying to wreck, every Government of which he formed a part, until he was finally extinguished by the resolute hand of the younger Pitt. As Mr. Lecky points out, there seems to have been at this time a mischievous theory, that a Lord Chancellor was, as such, exempt from the ordinary ties of political allegiance ; and it is, indeed, difficult to account otherwise for the way in which Northington, Thurlow, Loughborough, and Eldon were allowed to play fast and loose with successive Ministries. But the theory cannot be justified by any sound view of politics. The splendid reward of the Chancellorship is, and always has been, given almost entirely for political services ; and the

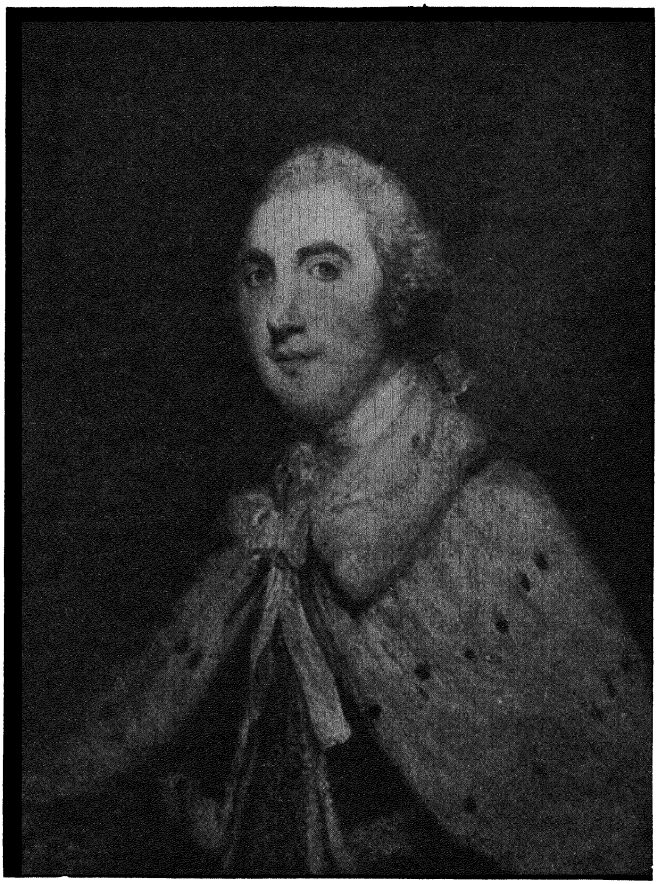


Photo by] [*Walker & Cockerell.*

LORD SHELBURNE (1737–1805).

Portrait by Sir Joshua Reynolds, in the National Portrait Gallery.

assumption, by the occupant of the woolsack, of a superior privilege resting on vast legal attainments, is, in the majority of cases, quite unwarranted by the facts.

It may well be doubted whether, if the choice had been left to them, the Ministry would have selected the subject of Ireland for their first essay in reform. But the choice was not left them. On the very day on which they accepted office, Colonel Luttrell drew attention in the House to the alarming news from the island; and his mysterious warning was immediately emphasized by Sir William Eden, the Chief Secretary to the retiring Lord Lieutenant, the Earl of Carlisle. Lord Carlisle had been dismissed, with scant courtesy, to make way for the Duke of Portland; and Eden, who happened to be in England when the recall was announced, determined to revenge his chief by stating in Parliament news which he ought, undoubtedly, to have first disclosed to the Secretary of State. In order to understand the gravity of the crisis which he reported, it is necessary to glance at the relations which had subsisted between England and Ireland during the previous period.

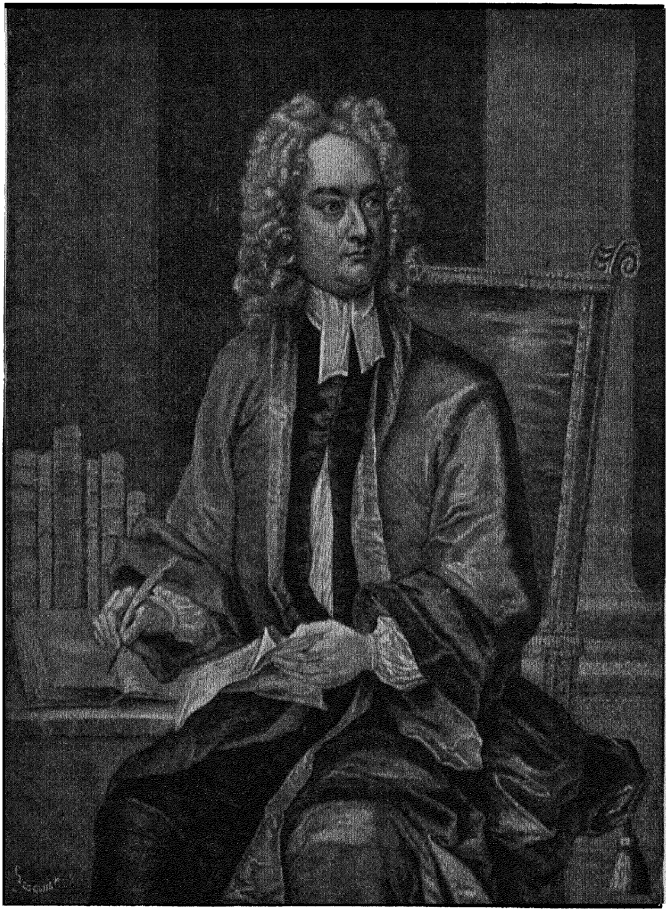
The policy adopted towards Ireland at the Revolution may be summed up in three phrases—Protestant ascendency in political and civil life, complete subordination to the commercial interests of England, government by corruption. It was a curious policy for a nation whose political rulers professed to believe in religious and civil freedom, and popular approval; and it can only be explained, not justified, by the fact of the total difference of circumstances between

the two countries. The determined resistance offered by Ireland to the Revolution settlement had been inspired chiefly by religious and political hatred; and the victorious Whigs hardly felt any inconsistency in violating their own fundamental professions in their dealings with the conquered country. The vast majority of the population was Catholic; and a reign of terror placed the lives and fortune of the Catholics at the mercy of the Protestant minority which had supported William. The celebration of Catholic worship was forbidden, the Catholic gentry were debarred from purchasing or inheriting land, and a horrible system of rewarding converts with the forfeited estates of their Catholic kinsmen was introduced. Catholics were forbidden to teach in schools; they were not allowed to possess arms for self-defence; they were excluded from the learned professions; finally, they were deprived of such poor shadow of Parliamentary representation as they nominally enjoyed, by being disqualified for the exercise of the franchise.

In commercial matters, the iron hand of England fell on Protestant and Catholic alike. The stringent exclusiveness of the Navigation Acts treated Ireland as a foreign country, and barred to her the colonial trade. The jealousy of the English cloth manufacturers procured an absolute restriction on the traffic in Irish wool, except between a few specified ports in Ireland and England. The old prohibition of 1665 against the import of Irish cattle into England was rigorously maintained. Even during the administration of Walpole, one article of foreign

commerce after another—East India goods, hops, colonial sugars, glass — was excluded from Irish ports. The single Irish industry which received encouragement was the linen trade ; and it is greatly to be feared, that one at least of the motives for this singular deviation from an otherwise consistent policy of repression, was a desire to retaliate on the Scotch for their unwillingness to consent to the Union.

English administration in Ireland was represented by the Executive at Dublin Castle, which, under the powers of Poynings' Acts, kept a tight hand on such faint legislative independence as the Irish Parliament was disposed to claim, and employed the scanty balance remaining in the Irish Exchequer, after the pensions and salaries of English favourites and absentee officials had been paid, in extending the Government interest among the Protestant population. But, in truth, there was, for more than half a century after the Revolution, little need for the arts of local management. The Irish House of Commons was the creature of the great Protestant landowners, who owned the bulk of the two hundred borough seats, and who were, many of them, English noblemen. The privileged caste relied entirely on the English protection, and were, naturally, but little disposed to criticise English administration. The greatness of the hereditary revenues of the Crown rendered frequent sessions of Parliament unnecessary. The Established Church was officered by bishops, most of whom were English, and many of them absentees ; the native Anglican clergy were ignorant and poor. The latter



DEAN SWIFT (1667–1745).
Portrait by Bindon.

were also in a peculiar and not altogether undeserved position of hostility to their own flocks. A long struggle between the great landowners and the clergy on the subject of tithes had resulted, in 1735, in the virtual suppression of the tithes arising from pasture lands[1]; and, as the great bulk of the best land in Ireland was then devoted to pasturage, the unfortunate peasant who grew corn or potatoes on his one or two acres, found himself subjected to a burden, from which his far wealthier neighbours were free.

The result of this iron system of repression may undoubtedly be claimed as favourable by those who urge, that a scheme of persecution, if enforced with sufficient thoroughness and persistence, may produce tranquillity—for a time. By the end of the seventeenth century, open opposition to the Protestant rule had almost disappeared, and, for the next fifty years, the political history of Ireland is well-nigh a blank. Occasional outbreaks of independence, such as that which, in 1719, led to the passing of the statute declaring the right of the English Parliament to legislate for Ireland, and of the English House of Lords to hear Irish appeals, were easily put down. Even the famous storm aroused by "Wood's halfpence," in 1723–4, though it was successful in its immediate object, passed away, apparently without permanent results. But Ireland was slowly awakening from the torpor of despair; and the formation, in the year 1759, of the Catholic Association, led to a determined effort to remove some of the worst of her

[1] The so-called "tithe of agistment."

religious disabilities. A slight measure of relief was granted in 1771, by an Act which allowed Catholics to acquire small portions of waste land for the purpose of reclamation. A somewhat vague measure in 1774 enabled them to declare their loyalty to the Government, by taking an oath of allegiance of a special character. By a studied evasion of the laws which prohibited them carrying arms, the English recruiting agents, who found Ireland their most valuable hunting ground, enlisted large numbers of Catholics in the regular army. But the real crisis came with the outbreak of the American War. To the grateful surprise of the Government, the Catholics of Ireland manifested an unbounded loyalty to the Crown, while the Ulster Presbyterians, who sympathised with the colonists, were lukewarm in their support. As, however, there was no real fear that the latter would oppose the Government, Ministers, in their desperate need of troops, ventured to employ abroad almost three quarters of the army usually maintained in Ireland; whilst, in the year 1778, they determined to show their appreciation of Irish loyalty by removing not only religious but commercial restrictions to a substantial extent. In their commercial policy, they were foiled by the bitter hostility of the English merchants, who succeeded in excepting from the liberal measure of free trade proposed for Ireland the important items of wool, hats, glass, hops, gunpowder, and coals; but in 1779 the restriction on the growth of Irish tobacco was removed, and in 1780 that on wool and glass. In their religious measures, which did not come before the British Parliament, they

sanctioned the Bill brought forward in the Irish legislature by Gardiner, which allowed Catholics to acquire land, on leases for 999 years.

A new and formidable influence now arose in Ireland. The exigencies of the American War, and of the Continental wars which sprang out of it, had, as we have said, compelled the Government to denude the country almost entirely of troops. In the year 1780, there was grave danger of a French invasion; and the Government were wholly unprepared to meet it. They were even obliged, for want of funds, to abandon the attempt to raise a militia. In the crisis, a self-supporting organisation, known as "The Volunteers," sprang up all over Ireland, and with especial vigour in the Protestant North. The movement was, at first, conducted with the greatest regularity. The Volunteers were men of substance and character, who resembled the fervent Puritans of Cromwell's New Model, rather than the professional soldiers of regular armies. They were mostly Protestant, for the laws against the carrying of arms by Catholics were still partly enforced; but it was a significant fact, that the Catholics contributed largely to the cost of rations and uniforms. The officers were amongst the most honoured and conspicuous of the Protestant gentry. No one doubted their valour or their capacity; and even the Government, though it declined to accord them any official recognition, in fact relied greatly upon their efforts for protection.

Such an organisation, in such circumstances, could not fail to react on politics. The cause of Irish independence, which had recently found two fervid

champions in Grattan and Flood, and judicious and more moderate supporters in such men as Yelverton and Lord Charlemont, caught fresh life from the movement. An agitation sprang up for the repeal of the obnoxious Declaratory Act of 1719 (p. 252), and the Privy Council clauses of Poynings' Act. An immediate effect was seen in the repeal, in 1781, of the Presbyterian Test, and the passing of an Irish Habeas Corpus Act. In February, 1782, in the last days of North's Ministry, a great meeting of the Volunteers at Dungannon pronounced decidedly in favour of Parliamentary Reform and religious equality; and, on April 16th, on the motion of Grattan, the Irish House of Commons unanimously voted an Address to the Crown, praying for the repeal of the Declaratory Act of 1719.

This was the situation which the Rockingham Ministry had to face on its entry upon office; and it was clear that but one policy was possible. For the first time in her sad history, Ireland had spoken with an united voice; and that voice was irresistible. With an European war still on her hands, with her resources exhausted, England was in no plight to enter upon a new conflict. Happily, the avowed principles of the Cabinet rendered a concession easy; and it is to the credit of Fox, that the concession was made whole-heartedly and peacefully. On June 3rd, Fox in the Commons, and Shelburne in the Lords, moved resolutions promising a repeal of the Act of 1719 and the obnoxious clauses of Poynings' Act, and suggesting a permanent treaty between the two countries, with regard to their future

ıship. With the single exception of Lord ıughborough, not a dissentient voice was raised. The repealing Act soon followed, and was received with universal joy in Ireland. In the Irish Parliament, the necessary amendments of Poynings' Act were soon passed, and most of the remaining disabilities of the Catholics were removed. In spite of the grave opening for future misunderstanding left by the failure to carry into effect the resolution respecting future intercourse, and by some rather technical difficulties raised with respect to the wording [1] of the repealing Act, the great constitutional change of 1782 was carried into effect; and Ireland entered upon that short period of legislative independence which, in the opinion of good judges, is the brightest in the whole of her chequered story.

Thus left free to turn their attention to home affairs, the new Ministry nobly redeemed their promises of reform, by introducing and carrying five great measures which have had a permanently wholesome effect on English politics. By the first, known as the Revenue Officers Act, the officials of the Excise, Customs, Stamps, Post Office, and Salt and Window Duties, to the number, it was said, of 60,000, were deprived of the Parliamentary franchise. If the numbers were even approximately correct, the measure removed a grave scandal; for it is probable

[1] The advocates of "simple repeal" contended, that the mere repeal of the Act of 1719 restored legislative and judicial independence to Ireland. Their opponents urged, that the Act of 1719 was merely declaratory of the law, and that its mere repeal left the question legally open. They advocated "Renunciation"; and their wishes were gratified by an Act of the following session (1783).

that, at this time, the whole electorate did not exceed 300,000, and it was well known that every revenue officer's vote was at the disposal of the Government of the day.[1] By the second, the Contractors' Act, the unwholesome practice of giving Government contracts to members of the House of Commons, which not only corrupted the House, but caused the greatest waste and inefficiency in the public service, was abolished. By the third, all creations of life offices in the colonial service were made for the future absolutely void; and it was provided that all non-residents should vacate their appointments. The shifts to which the opponents of this measure were put may be guessed from the fact, that they had to resort to the argument, that its wording would offend the Americans, who might deem it to be a covert attack on their independence. The fourth was a long and complicated measure for the reform of the Paymaster's office, introduced by Burke. It abolished the scandalous practice which treated the Paymaster as a contractor with the State for the maintenance of the army, and enabled him to keep enormous balances in his hands for many years. All payments on account of the army were to be lodged at the Bank of England, and to be paid out directly to the persons by whom they were demanded, on drafts specifying precisely the service for which they were issued. The books of the Paymaster were to

[1] Considerable effect was produced in the House by the reading of a letter, signed "North," and addressed to a person who had promised to secure for the Government the votes of all the revenue officials in Newark.

belong to the office, not to the Paymaster. All the officials were to be paid by fixed salary; and the fees of office, after payment of the office expenses, were to go to the fund for wounded officers. Finally, the pay for regiments was to be issued to the commanding officers, not according to the often defective "establishment," or nominal figures, but according to the actual muster rolls for the time being. The Pay Office Act is strong testimony to the honesty of its author, for it materially reduced the income of the post to which he had just been appointed, and it proved him to be of altogether different metal from the Hollands, the Rigbys, and the Welbore Ellis', under whose fostering care the nation had been defrauded of immense sums of money.[1] But the great triumph of Burke's short period of office is his Civil List Reform Act, which introduced order and discipline into the royal household, strictly limited the pension list and the secret service fund, and, by the abolition of useless offices, effected a saving of £72,000 a year to the country. That such a measure was possible at all, was due to the persistent efforts of Burke, carried on during many years of Opposition. By his bold attacks, he had at last compelled North to issue a Royal Commission upon the whole of the public expenditure; and the reports issued by the Commissioners in rapid succession during 1780 and the following years, had revealed a

[1] A private report laid on the table of the House during the following session calculated the amount of outstanding money due to the Treasury at the enormous sum of forty-four millions. Most of this represented balances in the hands of the Paymasters.

state of confusion, corruption, inefficiency, and extravagance, before which even the King quailed, and which rendered reform a real national question.

It is melancholy to record, that a Government which, in the course of a few weeks, had established such claims on the nation, was doomed to fall by intestine quarrels and Court influence. But the fact was only the natural result of the weakness of Rockingham, in admitting to office men who were known to be hostile to his principles. Shelburne had, from the very first, maintained towards his colleagues an attitude utterly inconsistent with loyalty to his nominal chief; and now, during the fatal illness of Rockingham, he and Fox came to an open rupture. In the reconstitution of the Secretary's office, consequent on the abolition of the Colonial Department, Home and Colonial affairs had been allotted to Shelburne, Foreign affairs to Fox. The great question of diplomacy at the time was, of course, the question of peace. This question involved negotiations, not only with France and Spain, but with Franklin, now the representative of the United States in Paris. The independence of America was openly admitted; and, early in the session, Parliament had actually passed a Bill authorising the Crown to accord a formal recognition to the accomplished fact. The conduct of negotiations seemed, therefore, by every right, to belong to Fox. But Shelburne did not think so; and, when Fox sent an agent to Paris to treat with Vergennes, the French Minister, Shelburne sent another to treat with Franklin. The inevitable result followed. Shelburne's agent was no

match for the astute American ; and the latter, quite naturally, tried to maintain negotiations with Shelburne through his confiding emissary. The King, who detested Fox, and whose gravest fault was, that he continually subordinated public interests to his private feelings, encouraged Shelburne in his duplicity. At the critical moment, Rockingham died (July 1st); and Fox at once resigned, taking with him Lord John Cavendish, Burke, and a number of minor followers. The most startling result of the secession was the admission to office, as Chancellor of the Exchequer, of the youthful Pitt, who, though only in his twenty-fourth year, had already refused minor office under Rockingham, and who had distinguished himself in the session just about to close, by a powerful speech in favour of Parliamentary Reform, his motion being lost by only twenty votes.

In the session which followed, there occurred an episode which has always been considered as one of the most peculiarly disgraceful in English political history, and which has left upon the memory of Fox an indelible stain. The great orator was smarting under a just sense of unworthy treatment. He had been ousted from an office, in which he had rendered splendid service to his country, by a disgraceful trick; but he could not justify his resignation without betraying Cabinet secrets. It is true, that he might have alleged as his excuse the conduct of Thurlow, who had openly opposed his colleagues' measures in the House of Lords.[1] But Thurlow's ways were too well known

[1] The Chancellor openly stigmatised the Revenue Officers' Bill as "an attempt to deceive and betray the people."

to be treated as an adequate explanation. Fox accordingly suffered under the imputation of having wrecked a promising Government by his incapacity to work with other people. This was an imputation which he felt keenly; for he was one of the most sweet-tempered of men, and compliance, not pugnacity, was his foible. He had really resigned because he saw that the old corrupt system was being revived through the agency of Shelburne and Thurlow. In his disappointment, he took the extreme step of entering into a close alliance with North; and the country was scandalised by the sight of two great Parliamentary leaders, who for ten years had been the champions of opposing parties, now suddenly reconciled in an unholy alliance, formed with the object of overthrowing a Government in which one of them had, until a few months before, held prominent office. It is true that Fox and North had once before been allies, that Fox had, indeed, as we have seen, entered public life under the auspices of North, and that, as their intimates knew, they had remained friends in private life. But on almost every conceivable public question they were notoriously at issue. Fox had been the champion of American claims; North had opposed those claims to the bitter end. Fox had been the great denouncer of that system of Court influence of which North had been the supreme exponent. Fox was an advocate of Parliamentary and Executive Reform; North was pledged to the old abuses. Fox had lent the whole weight of his eloquence in favour of freedom of the Press, and the publicity of Parliamentary debates; North had

steadily maintained the opposite view. It was too much to expect the country to believe that North had been converted to Fox's views of the necessity of abolishing Court influence, or that Fox had come to the impartial conclusion that North's views on the the American war were, after all, sound. There are some alliances so shocking, that their very existence is more harmful than the continuance of the evils which they are formed to oppose.

Nevertheless, if the country was staggered, the House of Commons was not unwilling to follow the lead of two such experienced leaders as Fox and North, against the stolid Dundas and the youthful Pitt. The curious attitude of the Commons during these two eventful years will be touched upon at the close of this chapter; at present it is sufficient to note that when, in February, 1783, the preliminaries of peace were submitted to Parliament for approval, the House, after a debate which lasted until seven in the morning, finally left the Ministers in a minority of sixteen. All the eloquence of North, Fox, Sheridan, Burke, and Cavendish was brought to bear against the proposals of the Government; but the impartial reader will fail to discover any valid ground of impeachment of a policy which was inevitable after the disastrous failures of the war. It is true that the utter despair of 1780 had been relieved by the brilliant victory of Rodney, and the still more heroic defence of Gibraltar by General Elliott; but there was no essential change in the condition of affairs. The preliminaries by no means deserved the censure poured upon them by the Opposition. Although the

Treaty with the United States dealt liberally with the new Republic in the matter of boundaries, it gave no countenance to the outrageous demand of Franklin for the cession of Canada; and the best proof of the substantial wisdom of Lord Shelburne's Government in the negotiations is the fact, that the Coalition Cabinet which succeeded it did, in the Definitive treaties, make no substantial variation from the terms of the Preliminary Articles.[1] The whole of the speeches of the Opposition are in the dreariest style of captious debating logic; but they achieved their object, for, after a few weeks' further struggle, on March 31st, the Ministry resigned, and the King, to his bitter mortification, was obliged to accept a new Cabinet, under the nominal leadership of the Duke of Portland, with North and Fox as Secretaries of State.

It is worth notice that, despite the strength of the Coalition in the House of Commons, the new Cabinet was singularly weak in great names. It consisted of only seven members, and of these Fox and North were the only men of real power. Lord John Cavendish, of course, returned to his old post of Chancellor of the Exchequer; but his reputation for honesty had not been improved by recent events, and his talents were not great. Portland was a cipher. Keppel, though a great sailor, was not a great administrator, and, having adhered to Lord Shelburne in his quarrel with Fox, can hardly have been reckoned as a very safe or enthusiastic supporter of the new

[1] The most important addition was the provision, in the treaties with France and Spain, for the settlement of a plan of future commercial intercourse.

Ministers. Lord Stormont, a nephew of Mansfield, was a man of only moderate parts; and Lord Carlisle, though he had done better than was expected of him in Ireland, was a young nobleman who owed his position almost entirely to family influence.[1] Outside the Cabinet, Burke, restored to the Pay Office, gave to the Ministry his vigorous support; but his influence was on the wane. Sheridan was a brilliant debater, but carried little weight. Unfortunately, there was no one to whom Fox and North could venture to trust the Great Seal, with a seat in the Cabinet. Thurlow they determined to get rid of; and Loughborough (Wedderburn), the obvious alternative, was obliged to be content with the office of First Commissioner, a fact which rendered him by no means friendly towards his new colleagues. Lord Mansfield became Speaker of the House of Lords; and no one could doubt that his influence would be thrown into the scale against the Cabinet.

Nevertheless, the new Ministry, for a time, floated on the wave of prosperity. Measures were passed for regulating commercial intercourse with America. The Acts of the previous session relating to Ireland and to the Civil List Reform were amended and completed. A very useful Exchequer Regulation Act was carried by the Ministers against the opposition of Pitt, who had a Bill of his own on the same subject. Although no complete scheme of compensation for the American loyalists was accepted, Lord

[1] He had fulfilled the ungrateful task of heading a Commission sent out by Lord North in 1778, to endeavour to bring about a compromise with the revolting colonies.

North's motion for allowing half-pay to the loyalist troops was agreed to. The real interest of the remainder of the session lies, however, in the strengthening symptoms of independent reform which showed themselves, and which clearly foreshadowed the triumphs of half a century later. Alderman Sawbridge renewed his favourite motion for a shortening of Parliaments, and secured 56 votes in a House of 177. Pitt again brought forward the subject of the Parliamentary franchise, and was supported by Fox, Dundas, and Sheridan, as well as by Beaufoy, who, in a brilliant maiden speech, avowed himself an uncompromising advocate of reform. Finally, a petition from the Quakers in favour of the abolition of the slave trade, which was sympathetically spoken to by North, appeared as the first act of a long and powerful drama, fraught with immense importance to the welfare, not only of England, but of humanity.

Parliament met unusually early for the autumn session; and an event soon occurred which tested the strength of the Ministry to the utmost. The subject of India had long occupied the attention of successive Governments; and it was agreed on all hands that legislation on a great scale was necessary. The company of London merchants which had received its charter from Elizabeth in the year 1600 had passed through a strange and adventurous career. At first a mere "regulated" company of merchants, each of whom traded on his own account, it had in 1612 become a joint-stock enterprise. Political jealousies at the close of the seventeenth century, and the

curious system of finance which induced Governments to bargain for loans as the price of commercial privileges, at one time threatened it with serious rivalry. But, by skilful management, the new "English Company" of 1698 was appropriated by its older and more experienced competitors; and, in 1707, the "United Company" had secured a monopoly, so far as the State could confer it, of the whole trade with the East for a period of twenty years. So strict was the exclusiveness of the Company, and so powerful its interests, that Englishmen were prohibited by statute in 1720 from ever visiting India without its license. As the price of substantial loans, its charter was renewed again and again; and, as each new loan was accompanied by an increase in the stock of the Company, its nominal capital finally rose to a sum of over three millions.

It was not, however, until the victories of Clive had rendered the Company a territorial state, that the national Government took any direct part in the affairs of India. The first interposition occurred in 1753, when the Crown was authorised to establish by charter certain courts of justice in the three chief settlements of Calcutta, Madras, and Bombay. A useful measure in the following year sanctioned the establishment of courts-martial for the trial of offences committed by soldiers in the employ of the Company, and empowered the Crown to provide, by Articles of War, for the control of the Company's troops. A very wholesome clause of the same statute enabled persons aggrieved by the acts of the Presidents and Members of Council of the three settlements, to

sue in England on the alleged injuries; and this principle was extended in 1769 to the acts of all the Company's officials.

The rapid conquests of the Seven Years' War rendered the Company the dominant power in India, and poured apparently boundless wealth into its coffers. The dividends rose by leaps and bounds; writers in the Company's service accumulated fortunes so rapidly that £1,000 were openly offered for a nomination; and even military officers, whose nominal pay was scanty, became rich on the proceeds of irregular transactions. The Government determined that the nation should share in the Company's profit. In 1766, an Act of Parliament stipulated that £400,000 should be paid into the Exchequer in the course of two years; and in 1768 Parliament bargained for an annual payment of £400,000 for five years, as the price of allowing the Company to retain its territorial revenues, whilst it provided that the dividend paid to shareholders should not exceed 12 per cent. The Company also undertook to export at least £300,000 worth of English manufactures every year, and to lend the cash in its home coffers to the public at 2 per cent.

In the year 1773 an important step was taken by the well-known Regulating Act introduced by Lord North. The Government of the Company was remodelled by a provision which enacted that the twenty-five Directors, instead of being annually elected, should hold office for four years, six members retiring each year in rotation. The quali-

fication for a vote in the Court of Proprietors, which elected the Directors and decided important questions, was raised to £1,000 stock. The supreme control of political affairs in India was vested in a Governor-General and Council, under whose direct administration were placed the provinces of Bengal, Orissa, and Behar, with a supervision over the Governors of Madras, Bombay, and Bancoolen. But all these officials were to be absolutely subject to the orders of the Court of Directors in London, in whose hands was left the vast patronage of the Company, subject, in the case of the Governor-General and his Council, to the consent of the Crown, which was also authorised to establish a Supreme Court for Bengal at Calcutta, with a highly-paid Chief Justice and associates. The valuable reforms introduced, at considerable risk, by Clive during his second period of office, were reinforced by the provisions that no military or civil servant of the Company should accept any presents from natives, or carry on any trade on his own account, and that no British subject should lend money to natives at a higher rate of interest than 12 per cent. By this time the hollowness of the Company's financial prosperity had become manifest, and, instead of receiving a subsidy for the national exchequer, Parliament had to vote a loan of £1,400,000 to help the Company out of its embarrassments.

The plan of 1773 did not work happily. Warren Hastings, who had been nominated by the Act Governor-General, with a salary of £25,000 a year, was opposed by his colleagues in the Council, who

intrigued against him with the Court of Directors; and, as a majority of voters was necessary to support his measures, he was greatly hampered in his government. Quarrels arose between the Supreme Court and the Council. Sir Elijah Impey, the Chief Justice, shocked Indian feeling by sentencing to death, on a charge of forgery, Nuncomar, a high-caste Brahmin, who had attacked Hastings. The latter, urged on by the Court of Directors, who continually demanded remittances, adopted a vigorous policy of somewhat doubtful morality. He stopped the payment to the Moghul Emperor of the tribute promised by Clive, on the ground that the Emperor was in the hands of the insurgent Mahrattas. He sold Allahabad and Kora to the Nabob of Oudh; and lent British troops for the suppression of the Rohillas, that potentate's enemies. He crushed the Rajah of Benares, and exacted from him heavy tribute; and he extorted a huge fine from the Begum, or Queen-Mother, of Oudh. whom he accused of aiding the Rajah (Cheyt Singh). Under this vigorous policy the territorial revenues of the Company improved, but its commercial transactions were as unsuccessful as before, and the attempt to retrieve its failure was the immediate cause of the unhappy incident at Boston in 1773 (p. 233), which precipitated the American War. Moreover, as time went on, the enemies of Hastings began to make their complaints heard in England. Scandalous examples of oppression were reported. Sir Thomas Rumbold, Governor of Madras, who had started life as a waiter at Arthur's Club, acquired special notoriety by his ill-gotten gains. His case was brought before Par-

liament, and, though he was ultimately acquitted by the Committee, it was generally suspected that he owed his escape to a nefarious bargain. The recall of Sir Elijah Impey was voted. Finally, the invasion of the Carnatic by Hyder Ali brought matters to a crisis. A Committee of Secrecy was appointed in 1781; but, somewhat inconsistently, Parliament, whilst professing deep abhorrence of the irregularities which had taken place, agreed to renew the Company's commercial monopoly for another period of ten years, in return for a payment of £400,000. The Company, however, was utterly unable to raise the amount, and even failed to pay the arrears of Customs' duties for which it had undertaken responsibility. In the early days of the Rockingham Ministry the House voted the recall of Warren Hastings and Governor Hornby; but the Court of Proprietors refused to allow the Directors to act upon the vote, and it became generally known that, in its refusal, it was backed by the secret approval of the King. The matter thus became a great party question. The Lord Advocate Dundas, who, though he was nominally a member of the Coalition, was plainly trimming his sails to tack for the Court haven, obtained leave to bring in a Bill dealing with the affairs of India; and it was necessary, if they would not see the matter taken out of their own hands, for the Ministry to put forward their own measure.

Accordingly, on the opening of the Autumn Session of 1783, Fox introduced his celebrated scheme. It proposed to place the supreme political control of Indian affairs in the hands of a body of seven "Com-

missioners,"[1] nominated by the Bill, to hold office for four years, and to be removable only upon the address of one of the Houses of Parliament, but vacancies and successions to be filled by the Crown. These Commissioners were to have the full disposal of the patronage of the Company, to undertake the redress of grievances alleged by the native princes, and to hear all charges of corruption against the Company's officials. The commercial affairs of the Company were placed under the control of a Board of nine Assistant Commissioners, nominated in the first instance by the Bill, but afterwards to be elected by the Court of Proprietors. It was expressly provided that the Commissioners, even when appointed by the Crown, should be eligible for seats in the House of Commons. A second measure, which does not appear to have been more than formally introduced, dealt with the local arrangement in India. It confirmed the authority of the Governor-General and Council, but strictly limited that authority in the matter of treaties and acquisitions of territory, and made them subordinate in all matters to the control of the Commissioners in England. Rents and tribute were not to be raised, forfeited lands were to be restored, and many of the abuses of the old system were to be swept away.

Reserving criticism of the measure until we come to deal with that which was finally accepted in its place, we may here concern ourselves only with the fate of the Government scheme. The Bill, despite a

[1] This was the proposal of the Bill; but in the course of debate Fox consented to restore the old title of "Directors."

good deal of opposition from Pitt, Dundas, Wilkes, and Wilberforce, and petitions from the Company and the Corporation of London, passed through all its stages in the House of Commons by substantial majorities, after a series of debates which were interesting as comprising the maiden efforts of Flood, Erskine, and Scott (afterwards Lord Eldon). But towards the end of its progress an ominous rumour began to spread, to the effect that its further career was to be checked by an interposition from the highest quarter. The opponents of the measure had in fact gained access to the ear of the King, and, mainly through the efforts of Thurlow and the youthful Earl Temple, who had inherited from his uncle, along with his peerage and estates, that love of intrigue which had made him one of the most detestable characters in English political history, had succeeded in creating in the royal mind a violent hatred of the Bill. The precise nature of the arguments employed can only be guessed at; but it is believed that they tended to convince the King, always ready to be convinced in such a direction, that the measure, if passed, would give a permanent, or, at least, a long continuance of power to Fox and his followers, who, by means of the enormous patronage of India, would entrench themselves behind a solid phalanx of indirect support, which would render their position impregnable. Inasmuch as the King desired, more than anything else, to get rid of Fox, he determined to make a desperate effort to defeat the latter's plans. In his eagerness he took a step, the immorality of which, from a political stand-

point, has hardly been questioned by any competent critic. He gave Temple a letter which declared that "whoever voted for the India Bill were not only not his friends, but he (the King) should consider them as his enemies. And if these words were not strong enough Earl Temple might use whatever words he might deem stronger or more to the purpose." This letter the King authorised Temple to show to the peers, of course, privately; and the result was that, on the second reading in the Lords, the Bill was defeated by a majority of nineteen votes. On the same evening, with scarcely credible indecency, the King sent Sir Evan Nepean, Lord North's under-secretary, to demand from Fox and North an instant surrender of their seals of office. Nepean found his chiefs at supper, surrounded by a large company, and, without any attempt at secrecy, though he was most kindly received, blurted out his message, which was, of course, instantly obeyed. [1]

It is hardly possible to exaggerate the impropriety of which the King had been guilty. Not only had he directly procured the rejection of a cardinal measure introduced by his own constitutional advisers —in fact, as Fox afterwards humorously explained, the royal letter had produced such an effect that some peers, who had given promises to vote for the Bill, were convinced of its unsoundness even before they had heard the debates. Not only had he treated

[1] There is a still more extraordinary version of this story, to the effect that North was roused from sleep at one o'clock in the morning by the royal messenger. But the account given in the text is probably accurate.

vote in the Lords, contrary to all precedent, as instantly decisive of the fate of a Ministry. But he had followed up his determination with every circumstance of insult, in such a way as to leave no doubt on the mind of the nation that the whole plan had proceeded from violent personal feeling. Nor had he even the excuse that no alternative lay open to him. If, in his judgment, the measure was so disastrous to the national interests that its defeat was essential, he might have sent for Fox as soon as it was introduced, and warned him, that, if it were persisted in, he should feel himself compelled, either to dismiss his Ministers, or to dissolve Parliament and appeal to the nation. Or he might, even at the last moment, have refused to assent to the measure. It was less than a hundred years since a similar course had been adopted by one of the greatest of English Kings; and there is little ground for saying that in 1783 such a step would have been illegal, or even unconstitutional. At any rate it would have been more manly, more entitled to respect, than the course which, at the risk of embarking the two Houses in a bitter quarrel, first procured the contemptuous rejection of a measure which had been approved in the Commons by a large majority, and then inflicted a studied insult upon Ministers who enjoyed the confidence of that House.

It was not to be supposed that the Commons would tamely submit to such proceedings. Two days after the dismissal of Fox and North, they passed a resolution strongly condemnatory of the course of action pursued; and when, on the 19th of December, it was announced that Pitt had undertaken

to form a Ministry, the statement was received with derisive cheers, and the opposing forces prepared for war. Temple had received the price of his disgraceful services by being given the post of Secretary of State; and it is even asserted, by contemporary writers, that he was first entrusted with the task of framing a Cabinet.[1] It is, however, satisfactory to know, that the same disposition which had qualified him to fulfil his former unscrupulous mission rendered him unfit for more honourable service, and that, after three days of office, he thought it better to retire. The only members of the new Administration, except Pitt, who had any real weight, were Thurlow, who regained the Seal, Dundas, whose reputation for business capacity and debating power stood high, and William Grenville, yet another member of the family which, for the last thirty years, had exercised such a questionable influence on English politics.

The situation was a strange one. The Opposition included, with few exceptions, every debater of note and talent in the House; and it was, apparently, backed by a substantial majority. It determined to revenge upon the new Ministers the unconstitutional action to which they owed their offices. So confident were its members in their superiority, that they persisted for a time in treating the new Cabinet as an elaborate joke. On the other side Pitt, not yet in his twenty-fifth year, with only a few months

[1] The rumour probably arose from the fact that the King employed him to write letters of dismissal to the other members of the Coalition Government. George III. was a shrewd judge of character, and was hardly likely to trust Temple, though he might use him.

experience of office, stood almost alone. But he was backed by the King, who was prepared to go to any lengths in his support, and strengthened by a resolute ambition, which never for a moment quailed before the strength arrayed against him.

The policy of the Opposition was exceedingly simple. It was necessary, if the business of the country was to be carried on, that certain measures should be passed before the close of the Session. If the annual Mutiny Bill did not become law, it would be impossible to maintain a single regiment under arms without a direct defiance of the Bill of Rights; and the day was long past in which the country could contemplate with equanimity the total disappearance of the regular army. If Supply were not voted, the Navy and most of the other public services could not be paid. To secure the passing of these measures was the main duty of the chief representative of the Government in the Commons. If he failed in his task it seemed clear that he must resign office. The Opposition resolved that Pitt should fail.

The one thing which the Opposition feared, or professed to fear, was a dissolution. In Mr. Lecky's opinion, this was a disastrous mistake on the part of Fox and his colleagues. But it is doubtful whether his judgment is correct. Fox had already no small experience of elections, and he had friends all over the country who could not fail to keep him informed of the temper of the constituencies. North was an unrivalled expert in such matters. It may be that their estimate of the chances is more to be regarded

than Mr. Lecky's. An appeal for a dissolution would probably have lost them many votes in the House; for Parliament was only in its fourth session, and members who had paid heavily for their seats would have resented any attempt to deprive them of three years of their tenure. It may even have been that the chiefs of the Opposition hoped, by pretending fear of a dissolution, to draw Pitt into an error of judgment which would have brought about his immediate fall. But, if this were their object, they were signally defeated. When, on December 22nd, Erskine carried an Address to the Crown deprecating a dissolution, Pitt, through the royal message in reply, calmly disclaimed any intention of taking such a step; and though, after the Christmas holidays, the youthful Premier puzzled and annoyed the House by maintaining a dogged silence on the subject, there was nothing in his conduct to hint that he contemplated any premature ending of the session. On the contrary, he treated votes of censure and resolutions for removal as items of no consequence; and quietly proceeded to introduce a rival scheme for dealing with Indian affairs. Mystified and angry, the House indignantly rejected the measure; but it was significant that the majority of the Opposition fell to eight on the vote. Now thoroughly alarmed, the Opposition redoubled their attack. On the 2nd of February, in spite of a platonic resolution for reconciliation, passed on the motion of Grosvenor, Coke's motion condemnatory of the position of the Ministry was carried by seventeen votes; and on the next day it was resolved, by a slightly larger majority, to lay the

resolution before the King. Still Pitt maintained a serene composure, and a week later the Opposition took the extreme step of refusing to consider the Report on the Ordnance Estimates. It seems probable that this proceeding did not meet with the approval of the independent members of the House; for, soon afterwards, decided attempts at reconciliation were made, and when the Opposition renewed their directly hostile motions, their majority fell to twelve, and finally to one. It was now clear that a single issue must decide the struggle, and all eyes turned to the debate on the Mutiny Bill, which was fixed for March 9th. The Opposition had once before succeeded in postponing the measure, and they now threatened, if they let the Bill through, to limit its operation to a period of two or three months. But at the critical moment, to the astonishment of the House, Fox announced his intention not to oppose the Bill, which thereupon passed in the usual form. Sir James Burges, a minor politician of some note at the time, attributes Fox's decision to a remarkable constitutional discovery made by him (Sir James), to the effect that the Mutiny Bill might be introduced into the Lords; but he does not explain how this interesting suggestion, which he alleges to have been conveyed by him to his friend, Lord Caermarthen, from Lord Caermarthen to Pitt, and from Pitt to Fox, would have obviated the necessity of a subsequent debate in the Commons.[1] In truth, Fox felt that

[1] Sir James was a curious person. It appears to have afforded him unbounded satisfaction to establish his right to carry a baton in the presence of the King. (*Bland-Burges Papers*, 301).

the ground was slipping from his feet. The country had been at first amused at the sight of the unequal struggle between the young Minister and his opponents. But that amusement was passing into interest, into admiration, finally into enthusiasm ; and Fox had no wish to court the disaster which he saw to be threatening. His forebodings were fully realised. On March 25th the long-anticipated dissolution took place. The election which followed gave the Ministry an enormous majority, the Opposition passed into final oblivion, and Pitt immediately entered upon that long period of supreme power which lasted, with one brief exception, until his death in 1806.

Although this chapter has already exceeded the normal length, it must not close without a brief reference to a question which, to the reader who has followed the course of events which it has attempted to detail, will naturally have caused some difficulty. How was it that the same House of Commons which had so long supported North, veered round to Rockingham, then, after the defection of the Rockingham Whigs, continued for a short time to support Pitt and Dundas, then went over to the Coalition, finally, was just on the point of deserting the Coalition for Pitt, when the dissolution put an end to its labours ?

A slight reflection will convince us, that this curious vacillation is not to be accounted for by the easy explanation of royal influence. Doubtless the " King's Friends " did their utmost for North, and for Pitt and Dundas in the Shelburne Ministry. But they failed to prevent the fall of North and the Shelburne

Cabinet; and it is not to be supposed, that they supported either the Rockingham Government or the Coalition, both of which were detested by the King.

Neither will the Whig connection explain the difficulty. Doubtless, the borough interest of Rockingham and his friends was considerable; but it had failed for twelve years to get rid of North, and it failed, even when reinforced by North himself, to prevent a decided growth of feeling in the House in favour of Pitt. Doubtless, too, the Ministry of the day, even when opposed by the King, exerted a good deal of patronage; but, as we have seen, even an alliance of Ministerial patronage with royal influence could not keep Shelburne in office.

The inference appears to be irresistible, that, in spite of Court bribery and borough management, the House of Commons, at the close of the eighteenth century, was a good deal more independent than is generally assumed to have been the case. Apparently, the country gentlemen, who, for the most part, represented the counties, had fallen under the spell neither of party nor of corruption. They were inclined on principle to support the Administration, especially when the Administration called itself Whig; but they exercised a good deal of free choice. It is well known, that both Chatham and Pitt regarded them as the most satisfactory part of the representation; and this view seems to have been justified. Their weak point was a preference of field sports to their duties in the House; and this, at a time when the session of Parliament usually covered the whole of the hunting

season,[1] was a grave drawback. Unless threatened with an increase in the Land Tax, or interested by a new militia scheme, they could hardly be persuaded to regular attendance. But, on great occasions, their presence was often the deciding factor; and the anxiety of rival politicians to secure their approval is very manifest in the debates. In the fierce struggle between Pitt and the Coalition they played a conspicuous part. In the early days of that struggle, Lord Charles Spencer, and Coke of Norfolk, both of them typical country squires, moved hostile resolutions against the Ministry. As time went on, and that natural sympathy with a man fighting against long odds, which is one of the best features in the English character, began to tell in favour of Pitt, it was the country gentlemen, led by Thomas Grosvenor, who held a long series of meetings at the St. Alban's Tavern, and endeavoured to promote a compromise. It was perhaps easier for a member, in the latter half of the eighteenth century, to acquire a following in the House of Commons on his personal merits alone, than it has ever been since. If this be the truth, it can only have been because the House then contained a considerable section of men who followed the bidding neither of the Crown, nor the Ministers, nor the constituencies; but exercised their own independent judgment.

Apart, however, from all minor considerations, it need hardly be pointed out, that the one supreme

[1] It is not a little curious, that Pitt, only a year after his accession to power, began the present practice of calling the House together in January.

result of the Titanic struggle between Pitt and the Coalition was to establish the great principle, that a Minister defeated in the House of Commons has yet one possible appeal against extinction. The precise limits of this right are still in dispute ; and there are politicians who consider that it cannot be claimed, if the House which condemns the Minister was elected whilst he was in office. Be this as it may, the principle was established in 1784 ; and it threw an altogether new light upon Burke's famous assertion, that political authority depends not only upon connection, but upon popular approval. What Burke himself thought of this application of his words, it is not difficult to guess ; though it is not easy to see how he could reconcile his philosophy with his partisanship. But there was a peculiar felicity in the fact, that the keystone of the new arch was cemented by Pitt. It was an achievement worthy of the favourite son of the great statesman who had made popular opinion a working force in politics.



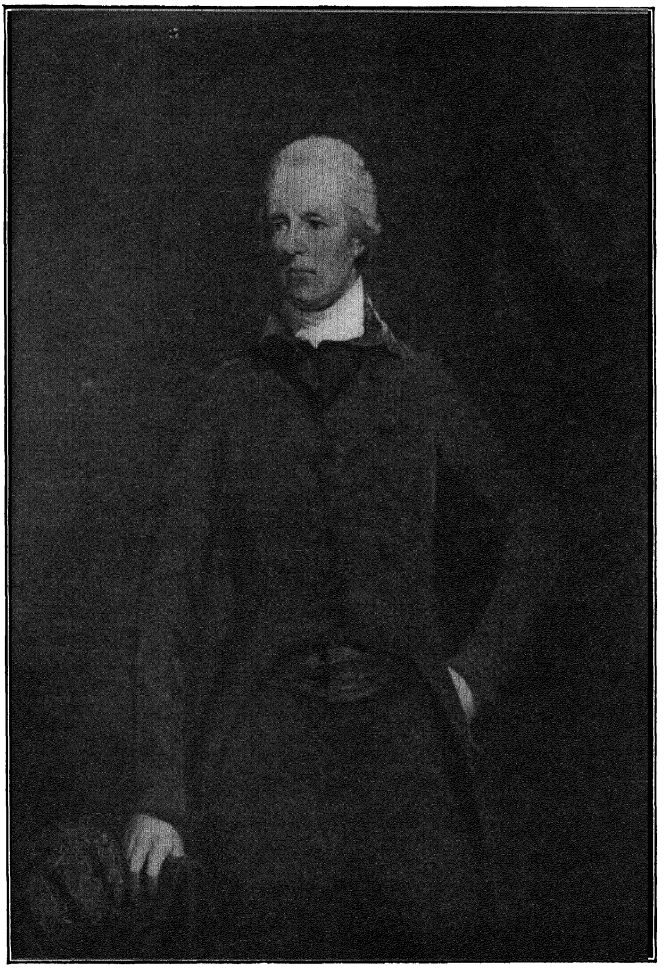
X

PITT

THE life of the younger Pitt is a great tragedy. Placed in supreme power at an age when most men are but just becoming conscious of the realities of life, backed by a public approval more universal than had before been vouchsafed to any English Minister, save, perhaps, his own father, full of sympathy with the new movements of thought and feeling which were destined to play so great a part in the history of his country, he seems, as we look at him in 1784, to be destined to take rank as one of the creators of national institutions, to lead the nation out of the bondage of medieval survivals into the promised land of industrial freedom, to be, in short, what Stein was to Prussia, Bernstorff to Denmark, and Cavour to Italy. But, in the bright dawn of his career, he was met and overwhelmed by the storm of the French Revolution. Foreseeing the doom of his hopes, he struggled long to keep his country out of the whirlpool of European politics. But events were too strong

for him. The financial reformer was compelled to become the author of a new and searching system of taxation, and the creator of a National Debt which loomed gigantic beside the puny achievements of his predecessors. The friend of religious freedom was doomed to imperil his honour by giving way before the stern resistance to Catholic Emancipation. The champion of Parliamentary Reform had to abandon the task so hopefully begun. The popular hero was obliged to move the suspension of the Habeas Corpus Act, and to bring forward the Seditious Meetings Bill. The advocate of peace found himself the centre of European Coalitions, and the mainstay of professional armies. Had Pitt lived to the normal age of statesmen, his fate might have turned. England might have been spared the horrors of the reaction, and her hero's fame might, after all, have shone out with peaceful splendour in his closing years. But it was not to be. Cut off in the prime of his days and the gloom of his hopes, he did not live to see the better England which he had so earnestly longed to create. The tangled web of diplomacy, which choked and finally stifled his life, is beyond the scope of these pages; here it will be sufficient to touch upon the reforms by which he left a permanent mark on the national life.

The first of these is, of course, his India Act. We have seen that, even before the dissolution which gave him his great power, Pitt had brought forward a scheme to replace the famous plan of Fox, and that it had been contemptuously rejected. As soon as the new House had settled down to work, after the



WILLIAM PITT.

(1759–1806.)

Portrait by John Hoppner, R.A., in the National Portrait Gallery.

excitement of the famous Westminster Election,[1] the Prime Minister re-introduced his India Bill. It is obvious, from a glance at its contents, that it proceeded on lines wholly different from those of the Coalition measure. Instead of a body of Commissioners, appointed for the sole purpose of managing Indian affairs, Pitt proposed to create a new department of State, consisting of six Privy Councillors nominated during pleasure by the Crown, the Home Secretary and the Chancellor of the Exchequer being always of their number. This Board was to have the right of examining all the despatches received by the Company from its officials in India, and such of the Directors' proceedings and despatches as were concerned with military or civil government, or with territorial revenues. The nomination of the Commanders-in-Chief in the three Presidencies of Calcutta, Madras, and Bombay was vested absolutely in the Crown; and the holders of these offices were to rank next after the respective Governors in the Councils of the Presidencies. The nomination of the remaining officials was left with the Court of Directors; but the approval of the Crown was made necessary in the case of Governors and Members of Councils, and any of these high officials might be recalled by the Crown at any moment. The superiority and authority of the Governor-General at Calcutta over the Governors of

[1] This was the celebrated occasion on which the beautiful Duchess of Devonshire appeared as the champion of Fox, who, however, only succeeded in obtaining second place on the declaration of the poll The irregularities of the returning officer resulted in the length of the poll being reduced in the future from forty to fifteen days.

the other presidencies was continued;[1] but the Governor-General himself was forbidden, except in certain cases, to commence hostilities without the approval of the Home Government. To enable delicate transactions to be conducted with the necessary silence, the Directors were required to appoint a small Committee of Secrecy to act in conjunction with the Board of Control (as the new Government Committee was called). The power of the Court of Proprietors was practically abolished, by the provision which rendered it powerless to annul any resolution of the Directors which had been approved of by the Board of Control. A very stringent clause (repealed in 1786) compelled each official of the Company, on his return to England, to specify on oath the amount of property brought back by him; and precautions were taken to prevent an extravagant increase of the Company's establishment. The provisions for the trial of accusations against officials were extended and improved; but the interests of the servants of the Company were protected by the enactment of the rule that promotion, civil and military, should go by seniority, except for special cause.

Pitt conducted the debates on the measure in the Commons with great skill and moderation; and, in spite of the formidable criticism of the Opposition, now reinforced by Francis, Hastings' great opponent

[1] The dangers of a difference of opinion between the Governor-General and the members of his Council were somewhat reduced by the clause enabling the Crown to remove either; but they did not finally disappear till 1793, when the Governors were empowered to override the votes of their colleagues in urgent cases.

in the Bengal Council, the measure was carried through both Houses by large majorities.

It is hardly possible to doubt the superiority of Pitt's measure to that of Fox. Not only was it far simpler, but it had the great advantage of effecting very substantial change with the least amount of friction. No doubt the charges of meditated corruption against Fox and his colleagues were wilfully exaggerated to influence opposition ; but it cannot be denied that the creation of a Commission holding office for a fixed period, and exercising the vast patronage of the Company, would have been a serious danger to the working of government. A change of Ministry during this quadrennial period might have led to the existence of hostile relations between the Government and the Directors, attended with disastrous consequences. The power given by Fox's Bill to the Directors created by it, to interfere with the management of the Company's commerce, was alien from the spirit of English politics ; and introduced an unwelcome element. By abandoning all attempt to meddle with commercial operations, and by restricting interference with patronage to the essential minimum, Pitt's measure removed most of the ill-feeling and suspicion which had grown up about the previous Bill. Above all, by making the new controlling body virtually a department of the Ministry of the day, Pitt rightly interpreted the trend of politics, and avoided what might otherwise have proved a serious danger in the working of the Cabinet System. It is, doubtless, in rare cases necessary to create official bodies independent of the

control of the Ministry of the day.[1] But such institutions are not in accordance with the general principles of our scheme of government; for it must be remembered, that exemption from the control of Ministers almost necessarily means exemption from the criticism and control of the House of Commons. The best evidence of the soundness of Pitt's scheme —for which, doubtless, his colleague, Dundas, is entitled to much of the credit—is, that it was continued on the partial renewal of the Company's commercial monopoly in 1814, and that it became the dominant factor in Indian affairs until 1858.

With the part played by Pitt in the picturesque incident of the impeachment of Warren Hastings, it is unnecessary to deal at length; for it forms no part of the permanent history of politics. Baulked of their scheme for Indian government, the Opposition concentrated the whole of their brilliant energy upon the prosecution of the great pro-consul. The parts taken by Burke, Fox, Sheridan, and others, are well known through the brilliant pages of Macaulay. For the appointment of Warren Hastings Pitt had, of course, no sort of responsibility. When Hastings was first directly attacked in Parliament by Burke, after his return from India in 1785, Pitt voted against the motion, although it was founded on what was, undoubtedly, the weakest point in Hastings' career—the Rohilla war. But, on the second charge, founded on the fine inflicted by Hastings upon Cheyt Singh, the Rajah of Benares, Pitt, to the intense astonishment

[1] Examples at present existing are the Accountant-General's office, and the Charity and Ecclesiastical Commissions.

of the House, after opposing many of Fox's arguments, declared that he should vote for the motion. An impeachment followed in due course; and, as every one knows, after a trial, perhaps the most famous in history for the eloquence displayed, the issues involved, and the elaborateness and length of the proceedings, Hastings was acquitted by the House of Lords in 1795. Pitt has been greatly blamed for his action; and the most extreme suggestions have been made to explain his motives. But the case does not appear to be very difficult. Hastings' career included many crimes of the first magnitude; but, in the opinion of the less scrupulous type of patriot, his ultimate success excused, or even justified, his lapses. It is a difficult question, about which men will continue to quarrel until the end of time. At first Pitt was inclined to take the popular view. But, as his knowledge of the circumstances increased, the pressure of his conscience became stronger. Personal purity in morals was almost a passion with him; his external haughtiness and genuine pride had in them no taint of cruelty. He may even have thought, that no apparent indifference to charges such as those brought against Hastings would have hampered the work of reform on which he was set. But, at any rate, he ran great risk by the course which he took, and his conduct was that of a strong man.

It is with unalloyed satisfaction that the historian of Pitt passes from his doubtful attitude on the impeachment of Warren Hastings, to the more prosaic but more important matter of financial reform. We have seen that this subject, thanks chiefly to the

heroic efforts of Burke, had been "in the air" for the previous four years. Pitt cannot, therefore, claim the distinguished merit of initiating the beneficent policy which he did so much to carry out; nor can he be absolved from an immense debt of gratitude, in respect of the details of his measures, to that Commission of Public Accounts to which reference has before been made, and which rendered priceless services to the country by its unrivalled series of reports in the years immediately following 1780. But, in a system such as ours, the steering of measures through Parliament is at least half the battle of reform; and the merit of that task belongs undoubtedly to Pitt. Four great achievements mark the first years of his power. In the absurd arrangements which had grown up since the Revolution, the British revenue system was necessarily marred by a bewildering confusion and waste. The produce of each tax was collected by a different set of officials, and paid into a separate account at the Exchequer. This produce, after deduction of the expenses of collection, was devoted by Parliament to a specific object. Worst of all, salaries and pensions, wholly unconnected with the subject of the tax, were often charged upon it on its way to the Exchequer. The result was confusion, extravagance and inefficiency. No proper check could be kept on collection and expenditure with such a want of method. On one item of revenue there might be a balance far more than equal to the demands for which it was assigned, while on another there was a deficit which crippled an important public service; and yet the surplus on one item could not

go to relieve the deficit on the other. This evil had become especially marked since the practice of voting Supplies item by item had grown up in the House of Commons, as it did during the eighteenth century. The Treasury officials, quite naturally, declined to sanction any deviation from a scheme so jealously watched by the House of Commons as the Budget.[1] An absurd and antiquated system of audit rendered matters worse. Pitt swept the whole of the revenue of the country into a Consolidated Fund, and made all payments, with a few exceptions, from that source. Certain items, such as the Civil List and other fixed annual outgoings, were charged permanently on the Consolidated Fund, and were known as "Consolidated Fund Charges"; the items of varying amount, voted from year to year by the House of Commons (including the growing charges for naval and military expenditure), required express Parliamentary sanction each year, and became known as "Annual Supply Charges." In the year 1785, the antiquated "Auditors of Imprest," who drew huge incomes from fees, and did no work, were replaced by a Commission for Auditing the Public Accounts, whose duties were still further extended by Pitt in 1799 and 1805.[2] The character of this Commission was altered by the creation of the office of Comptroller and Auditor-

[1] This famous word first assumed its modern meaning about the middle of the eighteenth century. It is said to have owed its origin to a pamphlet entitled, *The Budget Opened*, which attacked Walpole's excise scheme in 1733.

[2] With that tenderness of vested interests which is so marked a feature of British politics, the retiring Auditors of Imprest each received a life pension of £7,000 a year.

General in 1866; but the system of audit introduced by Pitt has not been substantially changed. A gigantic reform of the Customs duties, carried out by Pitt in the year 1787, not only reduced to order and simplicity an important branch of the revenue, which had been an almost incredible mass of confusion and waste; it had the two indirect advantages of greatly diminishing the amount of smuggling,[1] and paving the way for future remissions of import duties. The magnitude of the scheme may be gathered from the fact that, in order to effect it, it was necessary to introduce into the House of Commons a series of nearly three thousand resolutions. An incidental reform, of smaller scope but considerable value, was the restriction of the much abused privilege of franking letters, exercised by members of Parliament, which caused a loss to the Post Office revenue of several thousand pounds a year. It must, however, be admitted, that the deficit caused by the reduction of the Customs duties was somewhat dearly bought by the imposition of the Window Tax, which, until its abolition in 1851, tended to produce untold mischief to the health of the country, by diminishing the supply of light and air to houses.

Two other famous financial measures connected with the name of Pitt must be noticed. One of these, the famous "Sinking Fund," has been the occasion of much scorn. The idea, of course, was not

[1] Of course Pitt also made direct efforts to stop smuggling. His "Hovering Acts" are well known. But it may well be doubted whether the reform of the tariff was not the more efficacious measure.

new. Ever since the creation of a National Debt, in the closing years of the seventeenth century (p. 140), the dislike with which it was regarded had induced efforts for its abolition. Even before the famous measure of Walpole, in 1716, various isolated provisions for reduction had been put forward. By Walpole's measure, the produce of various duties had been set aside to accumulate as a fund for the purpose; but the exigencies of various hard-pressed Ministers had wasted it away to a shadow, before the accession of Pitt to office. The new Minister, in 1786, introduced a measure which contemplated the accumulation of a million a year from the Consolidated Fund,[1] and the produce of unclaimed Government Annuities, to form a fund for the redemption of the State's liabilities. In the year 1792, a further income was provided by the devotion of 1 per cent. on every public loan to the same purpose. In the following year, a further sum of £200,000 was charged on the Consolidated Fund; and a like annual amount was awarded every year, until Pitt's resignation in 1801. It is generally asserted, that Pitt borrowed his ideas on the Sinking Fund from Dr. Price, an eminent Nonconformist minister, who had apparently been overcome by contemplation of the magic of compound interest. His fallacies were exposed with great accuracy by Dr. Hamilton in 1813; but Pitt never acknowledged any indebtedness to Price, and it may be well that he was not deceived by the calculations of the worthy divine. No doubt he

[1] Actually in the original measure, from the Sinking Fund. But in the revision of 1787 the change indicated in the text was made.

thought it well worth while to tempt the public to make sacrifices for the sake of reducing a liability which, if not carefully watched, would certainly favour extravagance and, ultimately, lead to heavy taxation. So long as the Sinking Fund was honestly fed by the surplus of revenue from taxation, the utmost that could be said against it was, that the public was deluded into being virtuous against its will. But when it came, as it soon did, to raising loans at a high rate of interest, in order to discharge liabilities already incurred at a lower rate, the financial loss on the proceeding ought to have been manifest. And there is something absurd in the sight of a nation, unavoidably called upon to make heroic sacrifices to provide for a costly war, and, at the same time, saddled with further liabilities, to provide a higher rate of interest for the investors in Government stock.

The last of Pitt's financial measures which we can notice is, his determined attempt to break down the system of hostile tariffs which had grown up during the wars of the eighteenth century.

In their origin quite as much political as commercial, these tariffs had, as their worst results, the creation of artificial industries unsuited to the circumstances of the different countries, and a perpetuation of the barbarous notion, that what one party to international commerce gains, the other must necessarily lose. It is, of course, on this fallacy that the elaborate superstition of the Balance of Trade rests. Unhappily, the long prevalence of an unsound system does unquestionably create interests, which the adoption of truer principles is bound to injure. Pitt, therefore,

when he set himself to encourage foreign commerce, and to mitigate the severities of the Navigation Acts, was prepared to encounter strong opposition. His proposal to free Ireland from commercial restrictions was defeated by the bitter jealousy of the English manufacturers. His various measures for promoting commercial intercourse with America were cut down to the lowest possible limits. But his efforts to negotiate a commercial treaty with France were ultimately successful; and, in 1786, a great convention, providing for the reduction of port duties on a reciprocal basis, was signed by the representatives of the two countries, and was followed by similar treaties between several of the Continental Powers. Finally, it may be worth notice that Pitt, in 1787, in spite of the threatening state of the Dutch question, actually brought about mutual declarations by England and France against the increase of naval and military armaments.

The Minister's efforts for financial reform were interrupted in 1788 by a constitutional problem of the first importance. In that year the King became absolutely incapable of conducting business; and it was necessary to establish a Regency. The circumstances were now essentially different from those of 1765 (p. 209), owing to the fact that the heir to the throne was of full age. But the Prince's character was not such as to inspire confidence; and Pitt determined not to allow the whole power of the Crown to pass into his hands. In this determination he was amply justified; for the best medical opinion pronounced it almost certain that the King would

ultimately recover. And, as George was on bad terms with his son, nothing could have been more unjust than that he should be left practically at his son's mercy. The Minister accordingly introduced into Parliament a measure for placing the authority of the Regent on a limited basis, by depriving him of the power of creating peers, and of conferring offices or pensions otherwise than during pleasure, and by vesting the charge of the King's person, and the control of the royal household, in the hands of the Queen.[1] The Prince was furious ; and Fox, who, with his friends, was in close alliance with the heir to the throne, asserted the doctrine, that the right of the Prince of Wales to succeed to the Regency, unfettered by any limitation, was indefeasible and absolute. This assertion received no countenance from the facts of English history ; and, in any case, it was very curious doctrine from the mouth of a Whig champion. But the Opposition made a powerful use of it, to argue that Pitt's action was due to the certain conviction, that the first act of the Regent would be to dismiss him from office ; and Pitt was placed in an invidious position. The difficulties of the situation were rendered yet more acute by an Address from the Irish Parliament, inviting the Prince to take upon himself the Regency as of right. Nevertheless, Pitt courageously maintained his proposals, and was supported by a strong majority in Parliament. The

[1] The extent of the royal patronage, even after the reform of the last few years, may be guessed by the fact, that the appointments in the royal household were admitted, even in 1788, to be worth £200,000 a year.

final difficulty was to procure some sort of a royal assent to the Regency Bill; and the plan adopted by the Government was certainly open to criticism.[1] But, after all, this difficulty was really technical. If, as Pitt maintained, Parliament was the proper body to provide for a temporary vacancy of the royal office, the consent of the Crown was immaterial. Just as the measure was about to pass, the King suddenly recovered, and Pitt, who was preparing to return to practice at the Bar, found himself once more in secure possession of office.[2]

We now come to that event which will always be regarded as the crowning constitutional achievement of Pitt's long period of office, and the matter by which his reputation as a statesman must ultimately stand or fall. This is, of course, the Legislative Union between Great Britain and Ireland.

Allusion has been made in the preceding chapter to the period of prosperity which, despite some difficulties and drawbacks, followed the great changes of 1782. A liberal series of Bounty Acts had greatly stimulated corn-growing in Ireland, and produced an apparently genuine increase of agricultural prosperity. An equally careful system of commercial bounties

[1] The Chancellor was empowered, by a joint resolution of the two Houses, to affix the Great Seal to a Commission, issued in the King's name, authorising certain Commissioners to summon Parliament, and give the Royal Assent to the Bill.

[2] One of the amusing incidents of this anxious period was the exquisitely foolish position in which the Irish delegates found themselves when they came to London to present the Regency Address to the Prince. They were just preparing, with great ceremony, to wait upon his Royal Highness, when the King's recovery was announced,

had greatly fostered manufactures, despite the breakdown of Pitt's attempted fiscal reforms in 1785. But the fall of the Bastille in 1789, and the definite outbreak of the French Revolution, which soon followed, produced a startling effect upon a population always extremely susceptible to the influence of ideas, and naturally disposed, for many reasons, to sympathise with the French. The writings of Paine, the Anglicised form of those brilliant sophistries of Rousseau which had played such a large part in preparing the Revolution in France, were scattered broadcast throughout Ireland, and exercised an enormous influence. Burke's eloquent denunciations of the Revolution produced no effect in their author's native country; and the *Rights of Man*, despite the immense inferiority of its arguments, swept its rival from the field. The important fact to remember is, that French sympathies were at first much stronger among the active and powerful Presbyterians of the north, already half republican by instinct, than among the Catholic peasantry of the south and west, whose natural leaders abhorred a movement which was markedly hostile to their creed, and which placed the abolition of authority in matters of religion in the forefront of its programme.

But, if the Catholics were at first indifferent to the ideas of the French Revolution, it was quite clear to the advocates of French principles, that the case of the Catholics was by far the strongest plank in their platform. Though the Catholics had been freed from most of their social disabilities in 1778–1782, no evil results had followed; and the exclusion from

all share in the government of the country of three-fourths of its population became all the more anomalous. Accordingly Wolfe Tone, the author of a pamphlet signed "A Northern Whig," which had a great circulation in Ulster in 1791, made the emancipation of the Catholics from political disabilities his rallying cry. Though his extreme measures were opposed by Grattan and the respectable members of the "Whig Club," Grattan's sentiments in favour of emancipation were so well known, that his opposition had not much effect. So strong seemed the case, that the English Government, on the advice of Dundas, were prepared to give way; and they communicated to the Lord-Lieutenant their view that a measure of relief should be introduced.

But the decision of the Cabinet was stoutly opposed by the officials in Dublin. The changes of 1782, though they had added greatly to the power of the Irish Parliament, had not been favourable to the growth of Liberal ideas in that body. Owing to the necessity of keeping the Executive in Ireland in harmony with the changes of Ministry in England, it was considered impossible to permit the adoption of a Ministerial system in Dublin. The constitution of 1782 was, really, therefore, that of a Crown colony, in which the Executive is independent of the changes of feeling in the country; with the important difference that the Lower House in the Irish Parliament was, in theory, a purely elective body.[1] It was essential, therefore, if this difficult system was to work, that

[1] In an ordinary Crown colony the Governor is usually empowered to appoint a substantial number of members of the Legislative Council,



RIGHT HON. HENRY GRATTAN, M.P. (1746–1820).
From an engraving by Godby after Pope.

the Executive should maintain, by some means, a majority in the representative House. The only means which, to the authorities of the Castle, seemed adequate to the purpose, was a strengthening of the corrupt Protestant ascendency, which was prepared, at all hazards, to carry through the measures of the Government. In consequence, the peculiar position of 1792 was, that the Protestant English Cabinet was disposed to grant a reform demanded by the Protestant Wolfe Tone and his newly-founded society of United Irishmen; while the Protestant officials in Dublin were bitterly opposed to a measure which threatened to shake the Protestant ascendency in the Irish Parliament, and the mass of the Catholics were, at present, somewhat indifferent to the measure proposed for their benefit.

The year 1792 was mainly spent in discussion between the English Cabinet and the Irish officials. In the early part of the year, Hobart, the Chief Secretary, and Sir John Parnell, the Irish Chancellor of the Exchequer, had an interview with Pitt and Dundas, and succeeded, for the time, in enforcing their views, though Dundas insisted that nothing should be done to pledge the English Government permanently against Catholic Emancipation. A very moderate Bill, introduced by a private member, Sir Hercules Langrishe, into the Irish Parliament, gave a slight measure of relief, by admitting Catholics to the legal profession, abolishing the legal restrictions against intermarriage of Catholics and Protestants, and doing away with educational disabilities. The Government allowed it to pass; but they took the

opportunity of making an injudicious appeal to sectarian spirit, and their action aroused ill-feeling rather than gratitude. In the autumn the English Cabinet, now dreading an outbreak of war with France, resolved on a thoroughly injudicious compromise. They instructed the Lord-Lieutenant (Westmorland) to introduce a measure conferring the franchise on Catholics; but refused to admit them to seats in Parliament.

This measure came before the Irish Parliament in the year 1793; and its weakness was at once manifest. The Irish officials made no secret of their dislike to the duty which they were compelled to perform, and Grattan pointed out with great force the extreme folly of a measure which, while admitting thousands of ignorant Catholics to the franchise, gave them no opportunity of electing their legitimate leaders, the Irish Catholic gentry. But this criticism was little appreciated in England, where it was not realised that, owing to the practice of granting leases, even of the smallest agricultural holdings, for lives instead of for years, the Government measure practically amounted to an enfranchisement of the whole Catholic peasantry, whilst it left the prosperous artisans and shopkeepers of the towns outside the political arena.[1] So manifest was the danger, that Sir Lawrence Parsons, though a strong partisan of Catholic Emancipation, urged, in a powerful speech,

[1] The freehold franchise in England had been fixed by an Act of Henry VI. at forty shillings value; and the limitation had been imported into Ireland without much regard to its suitability. A life estate is, technically, a "freehold."

that the proper plan was to restrict the franchise to freeholders of £20 a year, and to admit Catholics to Parliament. The Government, however, obstinately resisted his proposal, as well as the suggestion of Ponsonby to grant complete emancipation; and the measure was carried in its original form. But any conciliatory effect which the concession might have had was largely discounted by an extraordinary speech delivered in the House of Lords by Fitzgibbon, the Chancellor, one of the ablest and bitterest representatives of the Protestant ascendency. Though he announced his intention of voting for the measure, Fitzgibbon poured out the whole wealth of his mordant satire on the Catholics, traced to the influence of the Pope every evil and every difficulty in the history of Ireland, and emphatically denied that any Catholic could ever be admitted to the smallest exercise of authority in the country.

Thus the famous measure of 1793, instead of being a herald of peace, became the signal of religious strife in Ireland. Almost immediately afterwards, the Catholic society of the "Defenders," which had originated in the county of Armagh as a hostile organisation against a Protestant society known as the "Peep of Day Boys," was revived; and its influence began to spread into other parts of Ireland. The United Irishmen, although, as we have seen, their founders were Protestants, excited by the outbreak of the French war, began to make overtures to the Defenders; and, although the religious difference of their members for some time kept the societies apart, they ultimately succeeded in effecting

a union, with the result that the United Irishmen became largely a Catholic body, while the Catholics adopted the republican views of Wolfe Tone and his followers. On the other hand, the Peep of Day Boys rapidly expanded into the formidable movement of Orangeism, which, by championing the principles of Protestant ascendency in their crudest form, soon came into fierce conflict with its Catholic neighbours. Meantime, however, an event had happened which, for nearly a year, held Ireland in a state of suspense.

It is now generally admitted that Cobden's view of the origin of the great French war was unfounded in fact. In spite of the greatest provocation, Pitt firmly maintained a conciliatory attitude during the first few years of the French Revolution. Despite Burke's thunders, despite the growing uneasiness of the wealthy classes at the spread of French principles, despite the active programme of the French envoy to England, he refused to be drawn into war. On the introduction of his Budget in 1792, he declared—and there is no reason to doubt his honesty—that he looked forward to many years of peace. He knew that a war expenditure would ruin his cherished plans of financial reform. But, in spite of all his efforts, he was drawn into the whirlpool ; and, in the spring of 1793, the country embarked on that long and terrible period of hostilities which ended only at Waterloo. Naturally anxious to strengthen himself in the mortal struggle by enlarging the basis of his Government, he effected, in June, 1794, a junction with the more moderate Whigs under Portland, who succeeded

Dundas as Home Secretary, the latter taking up the newly created Secretaryship for War. It was part of the bargain with the new members of the Cabinet that Fitzwilliam, their highly-respected but somewhat indiscreet supporter, should replace Westmorland as Lord-Lieutenant of Ireland; and Fitzwilliam was known to be favourable to Catholic claims. There is much dispute as to the precise terms of the bargain; but it is clear that Fitzwilliam believed himself to be entitled to carry out a policy which he believed to be secretly favoured by Pitt, and to reverse the attitude of Westmorland, with whom Pitt was thought to be on bad terms.

The first act of the new Viceroy, on landing in Ireland at the beginning of the year 1795, was to dismiss from their offices Hamilton, Cooke, and Beresford, three of the permanent officials most prominently identified with the system of Protestant ascendency. The reason he alleged in his despatches was, that he found it utterly impossible to carry out his policy through the agency of men who were determined to oppose it at every step, and whose overwhelming influence in the ranks of corruption made it necessary to deprive them of power. Of course he was guilty of no illegality in this step. The Executive appointments in Ireland, as in England, were held at the pleasure of the Crown; and the Crown in Ireland was represented by the Lord-Lieutenant. But it was a rash act, and it spelt the Viceroy's doom. Hastening to England, the ejected officials began to besiege the doors of the

Ministers with complaints and warnings; and, in the end, their efforts were successful.

Meanwhile, Fitzwilliam, acting in concert with the leaders of the Irish Whigs—Grattan, the Ponsonbys, Yelverton—was devising a thorough scheme for the removal of Irish discontent. He saw that the great want of the country in administration was a good system of civil police, which should render it unnecessary to employ the soldiery to repress every trifling outbreak of disorder. But, if the flames of religious war were not to be ignited, it was essential that the police in the Catholic districts should be themselves Catholics of respectability. This conviction strengthened him in his disposition to conciliate Catholic feeling, by yielding to the growing movement in favour of emancipation. Now that the recalcitrant officials were removed, there would be no difficulty in passing the measure through Parliament. Even Fitzgibbon admitted as much. Fitzwilliam sent home to the Cabinet the fullest accounts of his intentions, together with an elaborate statement of the reasons on which they were based. For some weeks the English Government took no notice of his letters. With the full concurrence of the Lord-Lieutenant, Grattan obtained leave to bring in an Emancipation Bill. Then the mine was sprung. The same fatal influence, which had so often interfered in the decision of delicate questions, once more appeared. The evicted officials had gained the ear of the King. On February 6th, the monarch formally declared his disapproval of Fitzwilliam's policy. On the 18th, Portland directed Fitzwilliam to oppose

Grattan's measure. On the 23rd, the Viceroy was recalled.

The retirement of Fitzwilliam is generally regarded as a turning-point in Irish history. It was received at first with feelings of dismay by the masses of the people, as well as by the more moderate reformers. To them it appeared that the English Government, after exciting the strongest hopes amongst the Catholics, had deliberately handed them over to the vengeance of their religious opponents, with every circumstance of insult and provocation. The long-attempted alliance between the United Irishmen and the Defenders was speedily accomplished; and thus a great Catholic organisation, pledged to objects far beyond Catholic Emancipation, definitely came into existence. On September 21st, the Battle of the Diamond, in county Armagh, between the Defenders and the Protestants, brought into being the exclusively Protestant association of the Orangemen; and all the materials of a civil war were therefore at hand. Wolfe Tone had been compelled, owing to his complicity in a French plot, to fly to America at the beginning of the year; there, in Philadelphia he found himself surrounded by men who, like himself, were exiles from their native land. Hamilton Rowan, Napper Tandy, and Reynolds were amongst his friends; and between them it was resolved to send a mission to Paris, to invite the active interference of France in the affairs of Ireland. Wolfe Tone crossed the sea in the spring of 1796; and, though the Directory were extremely ignorant of Irish affairs, they were much impressed by Tone's earnestness, as

well as by the representations of Lord Edward Fitzgerald and Arthur O'Connor, who had opened independent negotiations with the French agents at Hamburg. The direct result of these missions was the French expedition under Hoche, which reached Bantry Bay in the winter of 1796–7, and which, though it failed to effect a landing, had a profound effect in stirring popular feeling in the south-west.

All through the year 1797 the discontent became profounder. The United Irishmen assumed a more extreme and revolutionary character, openly demanding the abolition of rent and tithes, and declaring their intention of separating from England. In the north, the rivalry between Orangeism and Catholicism became still more marked, and the rival colours of yellow and green a yet more frequent signal of disturbance. The counties of the south-east became deeply disaffected. At home, the English Government, disheartened by the failure of Lord Malmesbury's negotiations at Paris, and paralysed by the mutinies in the fleet at Spithead and the Nore, were at their wits' end. Even Duncan's glorious victory at Camperdown did not destroy the possibility of an invasion of Ireland ; for the conspirators still had high hopes of France, and it is probable, that if Napoleon had seriously directed his mind to an attack on the Irish coast, the consequences to England would have been disastrous. Camden, who had succeeded Fitzwilliam as Lord-Lieutenant, was in despair ; and based his chief hopes on buying off the Catholic clergy, through the instrumentality of the Pope.

At last, in the autumn of 1797, the English Government took a decided step, by appointing Abercromby Commander-in-chief in Ireland. Abercromby was a thoroughly loyal and able soldier; but he had the misfortune also to be an honest man. As soon as he had taken in the situation, he realised that one of the chief obstacles in the way of internal peace was the violent conduct of the soldiery, who, with the countenance of the Castle officials, had almost superseded the civil magistrates in certain districts. In February, 1798, Abercromby issued his famous Orders, directing that, in suppressing disturbances, the military officers should act strictly in subordination to the directions of the civil magistrates; and that, above all, no measures of reprisal should be taken against districts in which undiscovered crimes had been perpetrated. The Protestant clique were furious; and entered into direct communication with the English Government to procure Abercromby's recall. In their treacherous efforts, they were ably seconded by Eden, now become Lord Auckland, who, from his former experience as Irish Chief Secretary, spoke with a knowledge which rendered him a valuable ally in England. The scheme soon worked. In an open letter to the Lord-Lieutenant, Portland commented severely on Abercromby's conduct; and that officer, notwithstanding the earnest remonstrances of Camden, immediately resigned. He was replaced by General Lake, the extreme advocate of military severity and Protestant ascendency; and thus, for the second time in three years, Ireland learnt that the wishes of the

whole country were as nought in the eyes of the English Government, compared with the interests of the Protestant clique in Dublin.

The immediate result was the outbreak of the Rebellion in Wexford, and the occurrence of dangerous, though not so persistent, disturbances in Kildare and Meath, in Antrim and Down. Happily, the distrust aroused among the republicans of the north by the violent proceedings of the French Government, did much to abate treasonable feelings in Ulster; and in the northern province, as well as in the neighbourhood of Dublin, the disturbances were soon put down. But in Wexford a state of war raged during the whole summer of 1798. The chief towns of the county were alternately in the hands of the rebels and the Government troops. More than one detachment of the latter were defeated. One of the most ominous signs of the movement was the prominence of Catholic priests, such as John Murphy and Roche, whose influence over the Catholic peasantry was far more complete than that of the lay agitators. At Midsummer, however, Camden retired; and Cornwallis, who, in spite of his failure in America, was considered one of the ablest generals in the British service, arrived with full civil and military powers. Before his vigorous efforts the rebellion gave way; and when, in August, the long-expected French expedition arrived at Killala Bay, in the north of Connaught, it found its opportunity gone. Although the French commander failed, almost entirely, to arouse the native population, he pushed on to Castlebar, where, on August 27th, Humbert

out-manœuvred and defeated General Lake. But Cornwallis was soon approaching with large forces; and, on September 8th, Humbert was forced to surrender at Ballinamuck. The small native risings which had taken place were put down with needless cruelty. Small expeditions under Napper Tandy, and the French Admiral Bompard, were equally unsuccessful; and Wolfe Tone, who was with the latter's force, was captured and condemned to death by a court-martial. There were grave doubts of the legality of the sentence; and Curran succeeded in obtaining an order of respite from the King's Bench. But the news came too late; for Tone had, the evening before, inflicted on himself a fatal wound.

The immediate danger was now at an end; but the English Government, thoroughly alarmed by the peril which English rule in Ireland had just encountered, determined upon a step which had more than once been mooted in official correspondence during the previous two or three years, and which, they fondly hoped, would for ever prevent a recurrence of the danger. The Viceroy's speech, delivered at the opening of the session in January, 1799, hinted, not obscurely, at a Legislative Union. Informal negotiations with representative men had for some months been proceeding; and, though it was clear that there would be violent opposition in certain quarters, the Government were not without hopes of substantial support, especially from the Catholics. This fact is, of course, one of the most powerful weapons of those who urge that the Catholics were betrayed by Pitt at the time of the Union; but the

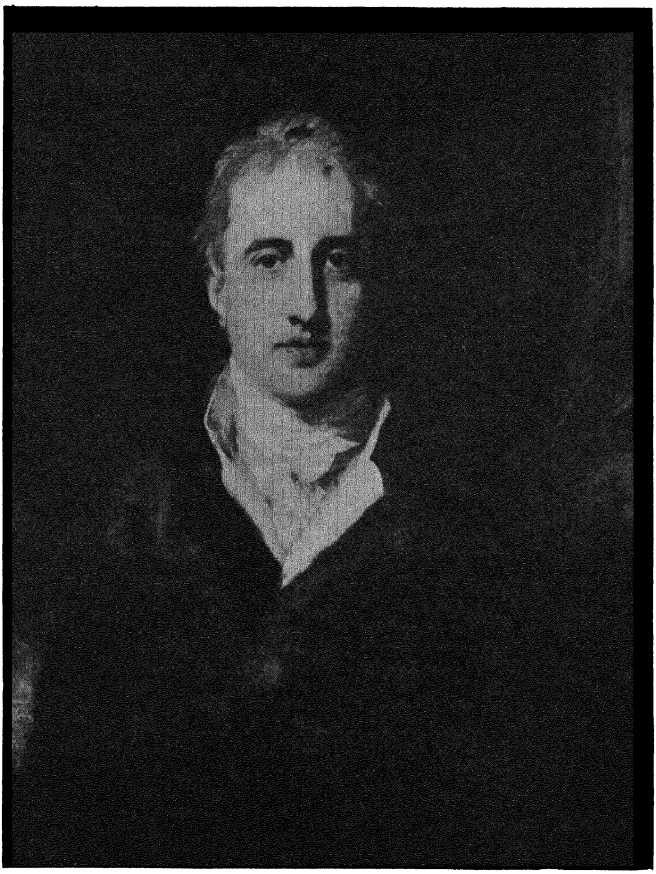


Photo by] [*Walker & Cockerell*

LORD CASTLEREAGH (1769–1822).

Portrait by Sir Thos. Lawrence, in the National Portrait Gallery.

fairest conclusion from somewhat obscure evidence appears to be, that, while Pitt honestly believed that the Union would lead to Emancipation, and was himself prepared to work for Relief, he gave no definite pledge, and entered into no absolute bargain. On such a subject it was easy for both parties to be honestly mistaken.

Unfortunately, the Catholics had no representatives in the Irish Parliament; and the suggestion of the Viceroy's speech was met at the outset by violent and overwhelming opposition. Though Castlereagh, who had recently placed the valuable support of his active services at the disposal of the Government, by accepting the post of Chief Secretary, conducted his case with great skill, an amendment to the Address in the Commons was only lost by a single vote, almost every member of weight supporting it. One of the most powerful supporters of the Opposition was Foster, the Speaker, whose opinion carried immense weight with the independent members; and Parnell, Ponsonby, Fitzgerald, Barrington, Parsons, Hardy, and many others, though some of them had held office, pledged themselves to support the Constitution of 1782. But Pitt determined to persevere. Owing to the secession of the Opposition in the English House of Commons, the Ministers had everything their own way in that assembly; and, in the spring of 1799, resolutions in favour of the Union were easily carried, despite the brilliant and strenuous opposition of Sheridan. Thus fortified, the English Ministry resolved on measures which, even at that time, could only be justified by extreme necessity.

A large sum of money was devoted to the compensation of Irish borough-mongers. Honours of all kinds were freely promised. Every pressure that the Castle officials could devise was brought to bear. Martial law was proclaimed in many parts of the country; and troops were sent over from England in large numbers. It was even proposed to introduce a body of Russian troops; but this last insult was, happily, spared. Before the opening of the session of 1800, the Viceroy knew that he commanded a majority. There was, of course, no pretence of taking the opinion of the country; and the attitude of the Government was clearly shown by the extraordinary provision of the final Representation Act, which provided that the existing county members should take their seats in the first Parliament of the United Kingdom without re-election, and that the representatives of the surviving boroughs should draw lots for a similar honour. A final bribe to the landowners was offered by a Tithe Bill, which definitely legalised the refusal of the graziers to pay "tithe of agistment." Before the end of March, the Resolutions had passed both Houses; and the Union soon became an accomplished fact, so far as paper could make it so.

The terms of the measure are very well known; and the briefest summary will here suffice. The Irish peerage was to be represented in the Parliament of the United Kingdom by twenty-eight members, chosen for life by their fellow peers; the United Protestant Established Church of England and Ireland by an archbishop and four bishops sitting in rotation of their sees, and changing with each session;

the Irish Commons by one hundred members chosen on the existing franchise, two for each county, and the two great boroughs of Dublin and Cork. Many of the old corrupt boroughs were disfranchised; and the remaining thirty-one were allowed but one member each. Provision was made for the ultimate reduction of the Irish peerage to a maximum of one hundred; but a somewhat curious clause allowed an Irish peer, not being a representative of his own order in the House of Lords, to be elected for any constituency in Great Britain. The property qualification of members was assimilated to that of England. The two countries were to enjoy equal commercial privileges; and no prohibitions were to be allowed in mutual trade, except those specified in a brief schedule to the Act. The public debts of the two countries were to be kept distinct; and for twenty years the proportion of the actual revenue raised in Ireland was to be two-seventeenths, as against fifteen-seventeenths in England. As in the case of the Scottish Union, the existing laws of Ireland were to remain in force until altered by the Parliament of the United Kingdom; and the existing judicial arrangements, with the exception of the appeal to the Irish House of Lords, were continued.

The Irish Union is the last great act in Pitt's career. On the first meeting of the Imperial Parliament, in 1801, he deemed himself bound in honour to introduce a Catholic Relief Bill; and, failing to obtain the King's consent, he tendered his resignation, which was, with apparent reluctance, accepted. So far, Pitt had pursued an honourable course; but he allowed

himself, a few months later, to be persuaded into giving a promise that he would never again raise the Catholic question during the King's lifetime. The promise was not made as a condition of a return to office ; and the country still watched for two years, with grim humour, the spectacle of Addington attempting to steer the bark of State in the tornado of Napoleonic politics. But the King was, apparently, very ill ; it seemed that he had not long to live. And Pitt appears to have thought it not worth while to run the risk of another Regency, or a violent political struggle, to prevent a year or two of delay. As we know, the King survived his brilliant young Minister by fourteen years ; and the Catholic question remained an open sore during that period.

Meanwhile, the Addington Ministry, backed by the generous unofficial help of Pitt, patched up the hollow peace of Amiens, and thus gave Napoleon an invaluable year of leisure in which to mature his ambitious plans. In May of 1803, the great war broke out again ; and, with one accord, the eyes of the nation turned to Pitt. Even Addington, though he never doubted his own supreme fitness for office, was prepared to bow to the national prejudice. But we have it, on apparently good testimony, that he made it the incredible condition of an alliance, that the chief position in a new Cabinet should be held by a figure-head, in order that he and Pitt might stand on an equal footing. So great is British respect for vested interests, that this amazing folly was allowed to keep out Pitt for a whole twelve-month. But at last the position of the country

became too serious to tolerate conventional politeness. The King was compelled to commission Pitt to form a Cabinet. Pitt showed extreme generosity by struggling for the inclusion of Fox; and, when the King's almost insane prejudice against him rendered a breakdown of the arrangements probable, Fox, to his immortal honour, not only insisted on the withdrawal of his name, but promised his wholehearted support to Pitt's Government. Once more at the head of a Cabinet of nonentities, but supported by the strong feeling of the country, Pitt plunged into the labour of forming a third great Coalition against Napoleon. But the task was too much for his declining strength. Always weak in health, the last few years had pulled him down almost to the edge of the grave. The impeachment of Dundas (now Lord Melville), for malversation in his old office of Treasurer of the Navy, was a mortal blow; for it struck at one of the rare friendships of his life. He lived to hear of the glorious victory of Nelson at Trafalgar (October, 1805). But the capitulation of Ulm, and the disastrous defeat of the Coalition at Austerlitz, completed what the impeachment of Melville had begun; and the great Minister died at the beginning of 1806, leaving his country apparently without a successor, in the day of her gloom and despondency.

It is hardly an exaggeration to have treated the history of Pitt, during the years 1784–1806, as the history of England. At least so far as politics are concerned, everything centred in him. Even when he was not the author of a scheme, it depended on

his good pleasure whether it should pass. Mitford, in 1791, could not have carried his Catholic Relief Bill without the consent of Pitt; and this measure removed many of the harassing restrictions under which the English Catholics laboured.[1] In 1792, Fox had successfully brought forward his celebrated measure, which enabled juries to decide on the whole question of an alleged libel, instead of merely finding the fact of publication. But if Pitt had opposed the measure, instead of supporting it, it could not have been carried. Pitt's own great measure for the government of Canada in 1791, though it has passed almost unnoticed, was a generous recognition of colonial progress. The huge colony[2] was divided into the two provinces of Upper and Lower Canada; and the Protestant and Catholic populations were thus left each to follow its separate destiny. Representative institutions were created for each; and a very beneficent Regulation, laid down in 1775, to the effect that occupiers of land should not be compelled to pay tithes to support a religion of which they disapproved, was made permanent, the fund thus created being devoted to the endowment of Protestant churches. Although Pitt abandoned Parliamentary Reform as impracticable at the out-

[1] Catholics were permitted to meet for worship in registered buildings, they were relieved from penalties for non-attendance at the worship of the Established Church, and they were allowed to teach in private schools.

[2] It must be remembered, of course, that the name Canada, in the eighteenth century, did not cover the whole territory of the present Dominion. Roughly speaking, it included only the present provinces of Ontario and Quebec.

set of his career, his influence was, until the outbreak of the French war, almost always on the side of liberal movements, such as Wilberforce's great crusade against the iniquities of slavery.

As a personal influence on his age, Pitt may be said to have succeeded to the great position of his father. He was the inspirer of national enthusiasm, the organiser, if not of victory, yet of heroic resistance against that overwhelming ambition which his father had instinctively foreseen. With little of the great Chatham's unerring judgment of men, or his swift comprehension of the politics of a whole world, he had the same generosity, the same contempt for merely personal aims, the same strict sense of personal honesty, also, it must be confessed, a good deal of the same arrogance and impatience, which had distinguished Chatham's career. He had, moreover, qualities and attainments conspicuously wanting in Chatham. He was, in spite of drawbacks, a born Parliamentary tactician. Nothing in the annals of the House of Commons has ever equalled the confidence and skill with which the youthful Premier, in the closing months of 1783, met and defeated an Opposition which included the most brilliant orators, and the most experienced Parliamentary managers, of that or, perhaps, of any other time. And his genius for finance, in which the elder Pitt had been singularly wanting, enabled him, not merely to acquire and keep great influence over the growing commercial classes of the country, but to prepare the nation to face, with undiminished credit, the appalling sacrifices of the great war.

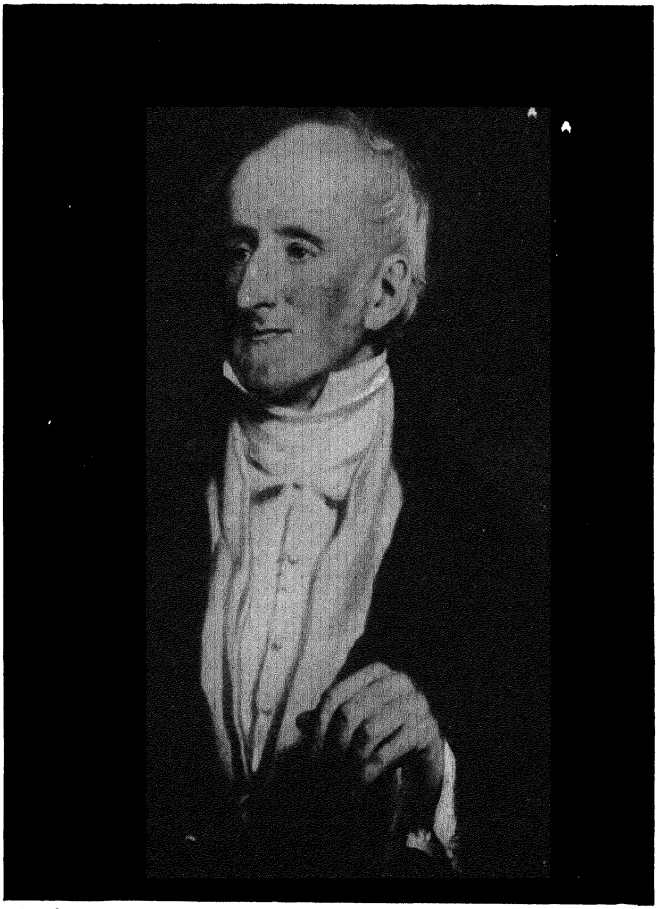


Photo by] [*Walker & Cockerell.*

SIR FRANCIS BURDETT (1770–1844).

Portrait by Shee, in the National Portrait Gallery.

As a permanent factor in the history of English politics, Pitt may be said to have done two things. In the first place, he broke for ever the system of personal government by the King's Friends. No doubt, as this chapter has shown, he was more than once thwarted by the obstinacy of George III. But that is a very different thing from being a tool of the Court. After the great event of 1784, Pitt held office, not by the favour of the King, but by the popular mandate. The very fact of his resignation in 1801, is a proof of the change which had come over English politics during his tenure of power. North, in similar circumstances, would have bowed his head and retained his office. It may be said, that Pitt acquiesced in his defeat, by resuming office in 1804 without a recantation by the King. But in 1804 the country was in the throes of a continental crisis, which would have rendered any attempt to stir great domestic issues positively criminal. Even Fox admitted this. And it is quite clear that, though Pitt recognised the limits of his authority, yet, while he was in office, he was the real power in the State. He made short work of any traitor or sycophant, from Thurlow downwards, who dared to thwart his will. In fact, the supreme authority of Pitt in his own Cabinets lays him open to the charge of assuming too much rather than too little power. With him, as with one or two leaders of outstanding authority since his day, the essential characteristic of the Cabinet System, as a representation of political connection, as well as of popular approval, was in danger of being forgotten.

Finally, Pitt may be said to have reconstituted the Tory party as an element in politics. At first clouded by suspicion of Jacobitism, then despised as the obedient slave of Court influence, the Tory party renewed itself under Pitt as the champion of legitimate authority, against innovation and speculative criticism. Pitt, no doubt, called himself a Whig; but he was equally removed from the sordid intrigues of the Grenvilles and the Bedfords, and the more generous Liberalism of Fox and Sheridan. With the rapidly rising Radicalism of Sir Francis Burdett, Charles Grey, and Beaufoy, he had absolutely no sympathy. It is true that he kept his head in the panic of the French Revolution, longer than any other prominent statesman; far longer, for example, than the philosophic Burke. But it was inevitable, in his position, that he should become the champion of authority, the great exponent of the prerogative, the bulwark against the rising waves of reform and anarchy. And thus there gathered round him all the defenders of the established order, in religion, politics, and society. The defeat of the Coalition at the polls in 1784 may be said to have abolished the Whig country gentleman; the whole weight of that most independent and most respectable section of the House went over to the youthful Minister. And when he died, at the age of forty-six, the great body of solid citizens, both in Parliament and the country, whom he had trained and persuaded into an unwavering loyalty to the Government, became the backbone of that new Conservative party which was to fight the battle against Reform.



XI

REACTION AND REFORM

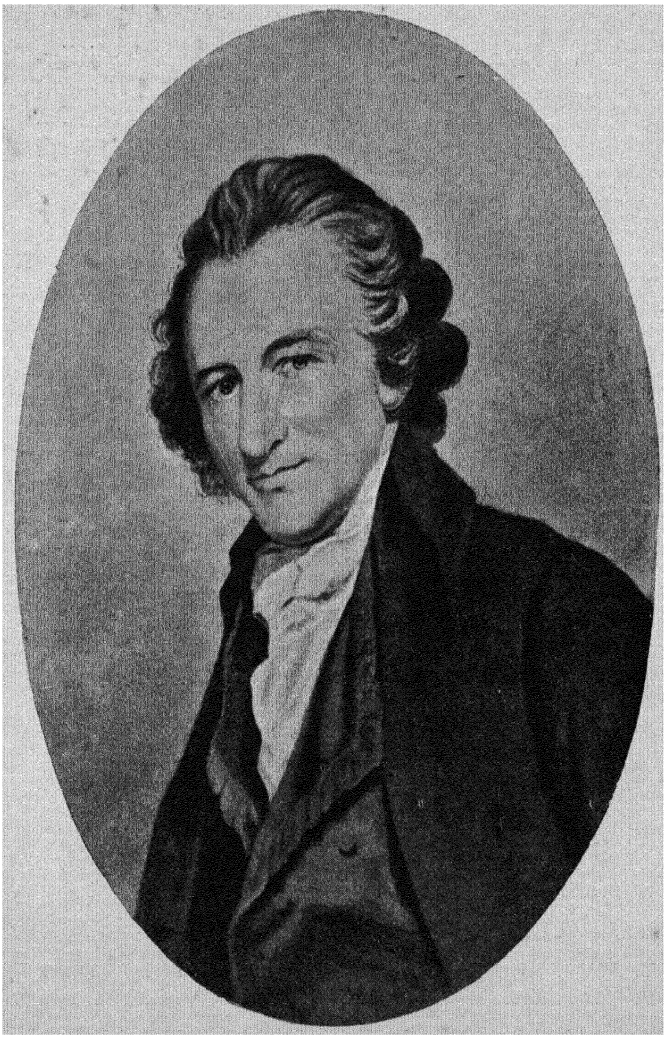
THE nine years which followed the death of Pitt were, almost entirely, years of war; but of a war which, unlike the diplomatic struggles of the eighteenth century, had a profound and permanent effect on the social organisation of Europe. The dying statesman had touched the secret which explained alike the apparently incredible success of Napoleon, and his ultimate downfall. Europe, said Pitt, had trusted in vain to her Governments to stem the tide of French aggression; she must now rely upon the energies of her peoples. At last it was beginning to dawn upon the minds of the ruling classes, that the irresistible might of France was due to a Revolution which, for the first time in modern history, had enabled a country to put aside those traditions, class prejudices, and vested interests, which had bound with meshes of iron the wholesome sinews of the nation, and stifled its best brains with a numbing code of etiquette. This was the true explanation of the astounding fact, that the ragged

troops of the Republic, led by inexperienced boys, had over-run a terror-stricken Europe, beaten the finest armies of Austria and Russia on many a battlefield, and shaken down thrones and principalities, while the subjects of the conquered States looked idly on, more than half in sympathy with the invaders of their native lands. Only on the sea, where the bad traditions of the old order still hampered the gallant efforts of the French sailors, were the foes of France victorious. And there the French yielded to the English navy, which, almost alone of English institutions, recognised simple merit, rather than birth or inherited wealth, as a title to command. The hard conditions of life at sea offered no attraction to the incapable parasites of a Government majority, who greedily absorbed the commissions in the army, and the offices in the civil service.

True it is that, almost from the very first, the French war had been supported in England by the great bulk of the nation; and England had therefore been the soul of the opposition to the aggressive crusade of the French Directory. After the first outburst of enthusiastic sympathy with the Revolution had passed away, the great mass of the English people had turned indifferently from that abstract philosophy of Rousseau, which had lashed the French into democratic fervour. The Englishman had grievances enough of his own; but they were not those of the French peasant and artisan. Bad as the English Government was, and unsympathetic as were the ruling classes to the new life which was springing into being with the

Industrial Revolution, there was, in England, little of that systematic oppression of the poor, that heartless parade of Court folly, that reckless squandering of the national resources, which had disgraced the reign of Louis XV. And so it is probable, that Burke's celebrated *Reflections on the Revolution in France*, unjust as they are to France, and lamentably wide of the true causes of the Revolution, really represent the feelings of the average Englishman in 1790. There is in them little of that philosophic grasp which makes the *Thoughts on the Present Discontents* a masterpiece for all time. They are disfigured by exaggerations and bitterness, that mark the writer as stricken with a panic which clouds his better judgment. The Burke of 1770 would not, surely, have spoken of "the profaneness of talking of the use, as affecting the title to property"; nor would he, in his sentimental pity for an insulted King and Queen,[1] have forgotten the groans of the millions who had suffered, in silent agony, under the oppressions of the *ancien régime*. But, in abandoning the lofty standard of his earlier style, in adopting the specious arguments, the want of taste, the gross prejudices which disfigure the pages of the *Reflections on the Revolution in France*, it is probable that Burke, perhaps for the first time in his life, appeared as a truly representative man. At any rate it is clear that, in England, despite the influence of Paine's works, and the teachings of Price and Priestley, the philosophy of the Revolution never obtained any real hold on the

[1] It must be remembered that Burke's pamphlet was written long before the proceedings of the Convention had become really violent.



THOMAS PAINE (1737–1809).
Portrait by Jarvis.

people; and it is intensely significant of the differences of national character that, in France, the forward movement should have been dominated by the flimsy rhetoric and graceful style of Rousseau, in England by the solid argument and the sesquipedalian prose of Bentham, Mill, Mackintosh, Romilly, and the rest of the Utilitarian school.

All the more disgraceful, therefore, was the conduct of the successive Ministries which, in England, undertook the task of stamping out free thought and free speech. It is often loosely urged, that the vital necessity of presenting a united front against French aggression alone impelled the Ministers to a course of action which they detested. But, unhappily, the facts will not accord with this plausible theory. The gagging policy of the period falls into three distinct stages, only one of which is covered by the French war. There is, first, what may be called the "Erskine" group of cases, in which that distinguished advocate succeeded, on almost every occasion, in procuring the acquittal of the prisoner; thereby demonstrating, by the best of proofs, that the Government had not even the excuse of popular opinion to back it. This group includes the prosecution of Baillie (1778) for showing up a nefarious job of Lord Sandwich at Greenwich Hospital; of the Dean of St. Asaph (1784), for publishing a pamphlet by Sir William Jones on Parliamentary Reform; and of Stockdale (1789), for publishing Logan's defence of Warren Hastings. Inasmuch as the States-General did not meet at Versailles till after the last of these prosecutions had been ordered, the excuse

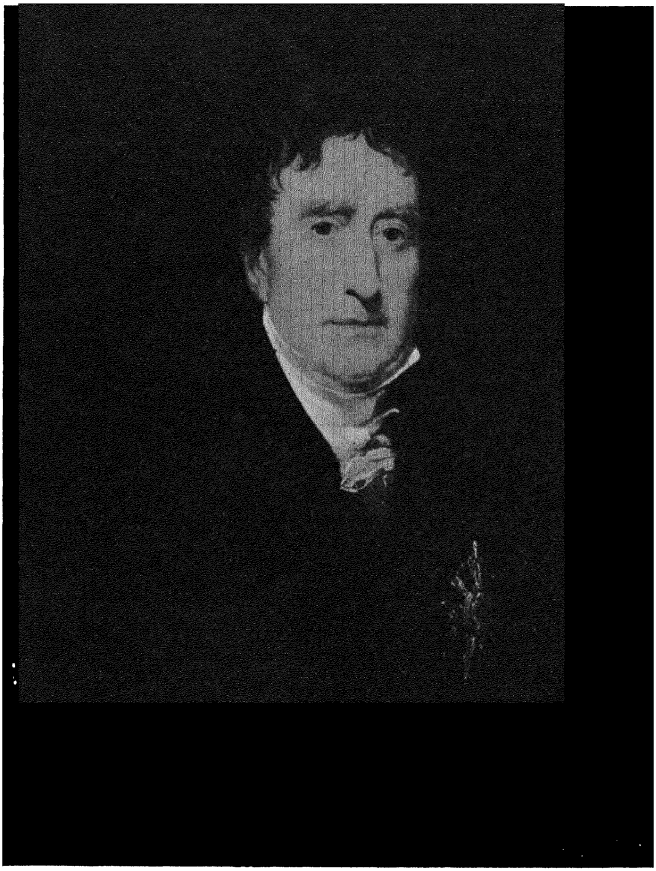


Photo by] [*Walker & Cockerell*

THOMAS, LORD ERSKINE (1750–1823).

Portrait by Sir William Ross, in the National Portrait Gallery.

of the French war hardly avails in these cases. Second, there is the string of measures which begins with the prosecution of Paine (1792), continues with those of the *Morning Chronicle* (1793), Walker (1794—the "popgun" case), Frost (1795), and the monstrous attempt to convict Hardy, Horne Tooke, Thelwall, and others, of "constructive" treason (1794), and culminates in the Treason and Sedition Acts, and the suspension of the Habeas Corpus Act 1795. For this series, there is, of course, the excuse of the French war. But, when the national risings in Europe had culminated in the crowning victory of Waterloo, when Napoleon had been banished to a lonely rock in the Atlantic, when Paris had been in the hands of the Allies, then, one might have thought, the rulers of the peoples would have turned with gratitude to the masses whose blood and courage had delivered them from destruction, and frankly invited their co-operation in the reconstruction of European society. Instead of this happy result, we find, on the Continent, the Holy Alliance, formed with the half-avowed purpose of stifling popular aspirations, and, in England, the brutal code known as the Six Acts.

For this last stage of the gagging policy the best excuse is, perhaps, the striking dearth of first-rate ability in the ranks of the official classes. The death of Pitt had been closely followed by that of Fox, whose Ministry of "All the Talents" (1806) is remarkable chiefly for an attempt, happily never repeated, to include the Chief Justice of the King's Bench (Lord Ellenborough) in the Cabinet. In

spite of the presence of Lord Sidmouth (Addington) the Ministry of 1806 was undoubtedly, even after the death of Fox, a Whig body; and its acceptance, in 1807, of Wilberforce's famous measure for the abolition of the slave trade, shows that it was prepared to give evidence of its faith. Its proposal in the same year, to allow Catholics to receive commissions in the army and navy, was a further sign of vitality. But the Ministry, if well meaning, was lamentably weak. Not a single man of real strength of character was to be found in its ranks. And, at the bidding of the King, it consented (though the royal permission to introduce the measure had been previously obtained), to withdraw the Catholic Bill. Such contemptible conduct met with the fate which it deserved. The King was emboldened to demand a further pledge from his Ministers, to the effect that they would not even mention to him, at any time, the subject of the Catholic claims; and the duped Cabinet, now realising the true position of affairs, resigned in March, 1807.

With the resignation of the Grenville Cabinet, the real interest in domestic matters passes away from the governing classes to that new industrial world which was growing so rapidly in England, and of which, it is to be feared, the rulers of the country knew but little. The note of the long series of Tory Governments, which stretches from the elections of 1807 to the elections of 1830, is mediocrity. The successor of Pitt, designated, it is said, by the dying Minister himself, was Perceval, an amiable, but not inspiring lawyer, who, at first under the nominal

leadership of Portland, and afterwards in his own name, maintained a steady attitude of resistance to the new social forces, till his assassination in 1812. On his death, the lead passed to Lord Liverpool, a son of that Jenkinson who, in the last days of the eighteenth century, had most worthily represented the dying traditions of "personal government." Liverpool, though the old King had now definitely relapsed into imbecility, inherited much of his father's policy; and the Prince Regent, having long ago renounced that Whiggism which he had professed as the friend of Fox and Sheridan, likewise adopted his father's views. The only men of real mark in the political world were Canning, whose untimely death in 1827 removed the last hopes of a peaceful solution of pressing problems, and Huskisson, a great financier, whose personal weight was, however, too small to sway the policy of the Cabinet. The real Director of the Government measures, during the long and dreary period of reaction, was Lord Eldon, a fanatic hater of reform in all its aspects.

Perhaps we may date the definite beginning of the strife in 1809, when the terrible scandal connected with the name of the Duke of York, the King's second son, excited widespread indignation in the country. The Duke, as Commander-in-Chief of the army, had repeated, on a somewhat smaller scale, the abominations of the days of Charles II. and George I., when the favour of a royal mistress had been the surest road to promotion. But a far more important step in the direction of reform, was the founding, in the year 1811, of the two great associa-

tions for popular education, the Royal Lancastrian (afterwards the British and Foreign Schools) Society, and the National Society for Educating the Poor in the Principles of the Established Church. A natural result of the spread of popular education was the enormous success of Cobbett's *Political Register*, which, in the year 1815, boldly reduced its price from a shilling and a halfpenny to twopence, and at once became the first really popular newspaper. The close of the war was marked by an immediate outburst of popular discontent. The high prices obtained by the manufacturers during the continuance of hostilities fell rapidly; and the long-anticipated expansion of commerce did not take place. The Continent was, in fact, too exhausted by the terrible drain of the war, to purchase goods in large quantities; and the establishment of a Protectionist policy abroad still further hampered English foreign trade. The disbanding of the troops swelled the ranks of the unemployed; and the iniquitous Corn Law of 1815, in addition to its damaging effects on the import trade, sent the prices of necessaries up to a famine standard. The absurd system of Poor Relief, inaugurated by the "Speenhamland Act" of 1795, showed the deficiencies of Gilbert's Act (1782) in the clearest light. The idle labourer, who married and begat children in reckless disregard of the consequences, and who had been looked upon as a national benefactor when the market for recruits was high, was now a source of real danger to the country; for his wants were supplied by the vicious practice of supplementing wages from the rates; whilst the

thrifty artizan, whose decent pride maintained him in a hopeless struggle with falling wages and increasing prices, and whose income was not swelled by inflated rents, bore the chief brunt of the distress. Quite naturally, the artizan classes took advantage of their newly acquired knowledge, to organise for the improvement of their condition; and the Trade Union movement, and the celebrated co-operative experiments of Owen, mark the period as one of the seed-plots of modern industrial conditions. The first of these developments came into direct conflict with the repressive policy inherited from the social system of the Middle Ages; and it was on this point that the first victory of Reform was won.

A series of mass meetings held at Bermondsey, in the winter of 1816–7, under the turbulent leadership of William Hunt, thoroughly alarmed the Government; and when, in the following February, the Regent was insulted on his way to open Parliament, a definite campaign of suppression was organised. The Habeas Corpus Act was once more suspended; and the famous circular of Lord Sidmouth, addressed to the Lieutenants of the counties, recommended wholesale arrests of suspected persons. A new Sedition Act was hastily passed; and, despite the "Derbyshire Insurrection" of the same year (1817), it seemed as though the Government would win an easy victory. But the feelings of the nation were now thoroughly roused; and the violent and brutal repression of the Peterloo meeting near Manchester, with which the Government openly identified itself, brought the country to the verge of civil war. In

the existing state of Parliamentary representation, popular feeling had no chance of making itself heard in the House of Commons, except by agitation; and the elections of the Peterloo year itself (1819) had given the Government a huge majority. This majority the Government proceeded to use, by enacting a repressive code which, for completeness and brutality, stands alone in English history. The "Six Acts," as they were termed, entirely prohibited the using of arms except under official authority, and authorised the magistrates to search all houses in which weapons were suspected of being concealed. They forbade the assembling of any open-air meeting of more than fifty persons without previous notice to the magistrates; they strengthened the already severe laws against libel; they deprived persons accused of misdemeanours of the time previously allowed them for preparation of their defences; and they extended the newspaper duties to periodicals, which had hitherto escaped.

The year which followed the passing of the Six Acts is of some mark in English political history. The death of the old King was, in itself, an unimportant event; for George III. had ceased for nearly ten years to take any share in public matters. The great blessing of oblivion, that real consolation of old age for public men, had come to him; the nation had long since forgotten the appalling series of blunders and obstinacies which condemn George III., in the judgment of the historian, as one of the very worst monarchs who ever occupied the throne of England. The generation of 1820 knew him only as a harmless

and forsaken old man, of blameless private character, overwhelmed by domestic grief. But the horrible scandal connected with the prosecution of the Queen of George IV., the vindictive conduct of the new King, his coarse extravagance at a time of great national distress, the indiscreet policy of the Queen herself and her advisers, the resignation of the one Minister (Canning) who was credited with popular sympathies, all tended to alienate the country from the Government, and even from the institution of monarchy itself. The formal adoption of the title of "Radical" by the extremer members of the reforming party, and the gradual introduction of the modern terms of "Conservative" and "Liberal," in the place of the former "Tory" and "Whig," all mark the passing away of the older order, and the approaching triumph of popular government. Baffling as are the minor changes within the sacred circle of office during the next few years, the great lines of national cleavage shew themselves with clearer and clearer distinctness. There is a powerful party which represents vested interests, including the landowners, the clergy, and the wealthier among the professional classes, whose new name of "Conservatives" marks a substitution of loyalty to established institutions for the older Tory attachment to the person of the monarch. Then comes the less numerous, but more active and intelligent party known as the "Liberals," which comprises the more advanced of the older "Whigs," and wins its way amongst the rising classes of successful manufacturers and smaller professional men, open to ideas of material advancement, but

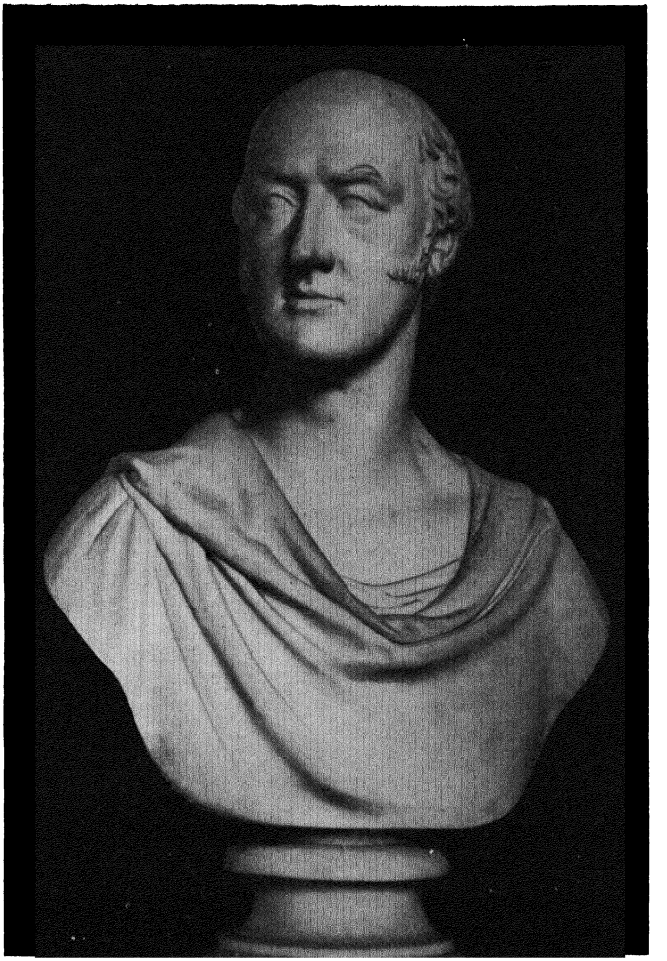


Photo by] [*Walker & Cockerell.*

RIGHT HON. GEORGE CANNING, M.P. (1770–1827).
Bust by Chantrey, in the National Portrait Gallery.

somewhat unsympathetic towards popular ambitions. Finally, we see the new and powerful body of Radicals, composed almost entirely of the artizan classes, active, numerous, and passionately devoted to the new order; but ill-organised, and liable to split up in the many conflicting claims of its enthusiasms. In this last body we may clearly trace two distinct impulses—the impulse towards political reform, no doubt the indirect result of the French Revolution, the belief in political power as in itself a good thing; and the impulse towards social regeneration, which uses political enthusiasm as a lever, but counts it only as a means to an end. The former impulse, headed by such men as Hunt, Cobbett, and Hone, ends finally in Chartism; the latter, under the far abler guidance of men like Place, Parkes of Birmingham, Owen, and Joseph Hume, works steadily for improved education, sanitation, hours of labour, and similar direct benefits.

It is curious that the first great Radical victory was won in a Tory House of Commons with the greatest apparent ease. As a matter of fact, the absurd state of the franchise was, in this instance, the most powerful safeguard of the Reformers. A Parliament which contained even a fair representation of manufacturers would hardly have repealed the Combination Laws without a desperate struggle. But the great landowners had not yet come to regard a combination amongst agricultural labourers as a possibility; and they looked with complete indifference upon the sweeping measure which Joseph Hume, under the skilful guidance of Place, piloted through Parliament

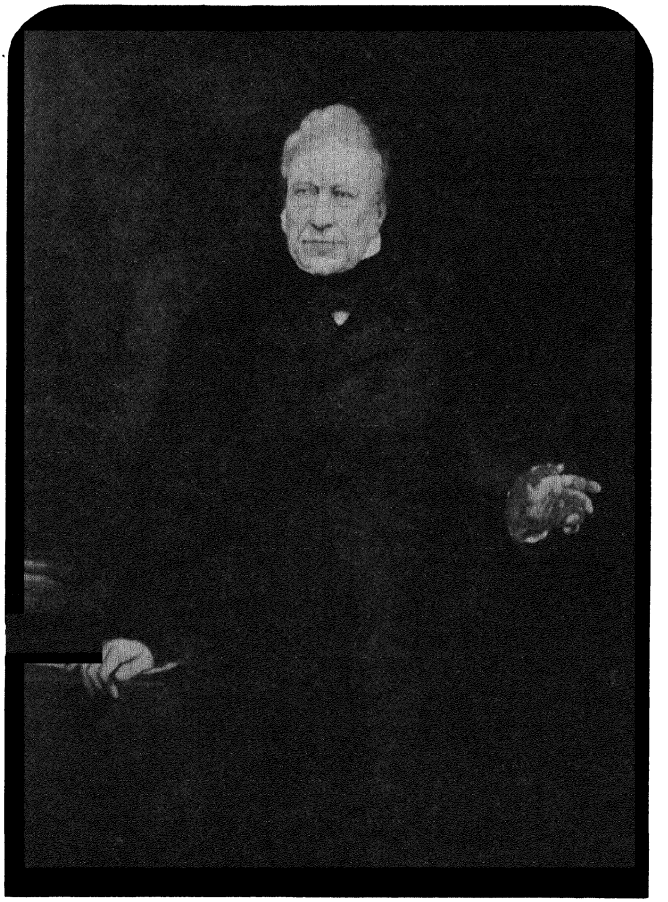


Photo by] [*Walker & Cockerell.*

JOSEPH HUME (1777–1855).

Portrait by J. W. Walton, in the National Portrait Gallery.

in 1824. With great wisdom, the few Radicals in the House of Commons treated the Bill as of slight importance, and refrained from making speeches The great anxiety of the framers of the measure seems to have been to discourage uninformed rivals, with schemes of their own, and to overcome the scruples of Lord Lauderdale, who approved of the measure, but thought it beneath the dignity of the Lords to read evidence printed by the Commons. Scarcely a legislator appears to have realised—not even such men as Huskisson and Peel that, in abolishing a set of barbarous old statutes, Parliament was implicitly sanctioning one of the most powerful social forces of the coming time. Strangest of all, even Place himself and his friends seem to have thought that the measure would be the end of Trade Unionism, which they regarded merely as a protest against the antiquated laws which made it felony to summon a "Chapiter or congregation" of masons, and a misdemeanour to attend it, and a penal offence "not to enterprise what another hath begun," and, generally speaking, treated the artizan as the unworthy slave of the capitalist. It should not be forgotten, however, that much of the confidence with which the measure was received, was due to the able advocacy of McCulloch, the Scotch economist.

Scarcely had the Bill of 1824 become law, when the manufacturers took alarm. The triumph of the previous summer had, undoubtedly, excited the hopes of the artizans to an unreasonable degree. During the autumn of 1824, although trade was good, several strikes occurred; and the employers quickly realised

that the old machinery of repression was now gone. They besieged the doors of the Ministers, and soon made important converts of Huskisson and Peel,[1] who, on the reassembling of Parliament in the spring of 1825, led a motion for a Committee to inquire into the working of the Act of 1824, supporting their proposal by speeches well calculated to arouse the prejudices of the vested interests represented in the House. The one-sided attitude of the Ministry is well shown by the fact that their resolution, as finally carried, limited the scope of the Committee to an investigation of the conduct of the workmen ; and that this was no accident is proved by the further fact, that the Government representatives on the Committee stoutly refused to entertain any enquiry respecting the conduct of the employers But they were dealing with a man who, though he never sat in Parliament, proved himself a past master in the arts of Parliamentary warfare. True, urged Place, that the wording of the Committee's reference excluded a direct enquiry into the conduct of the employers ; but it certainly did not confine the enquiry to the conduct of workmen against whom allegations of misbehaviour were made. Accordingly Hume, at Place's instigation, insisted on the admission of many respectable leaders of the working-class movement ; and their evidence was most damaging to the partial and prejudiced testimony brought forward by the employers. The Government

[1] It is somewhat singular that Mr. Thursfield, in his monograph on Peel, does not (apparently) allude in the most distant way to Peel's conduct on the repeal of the Combination Laws.

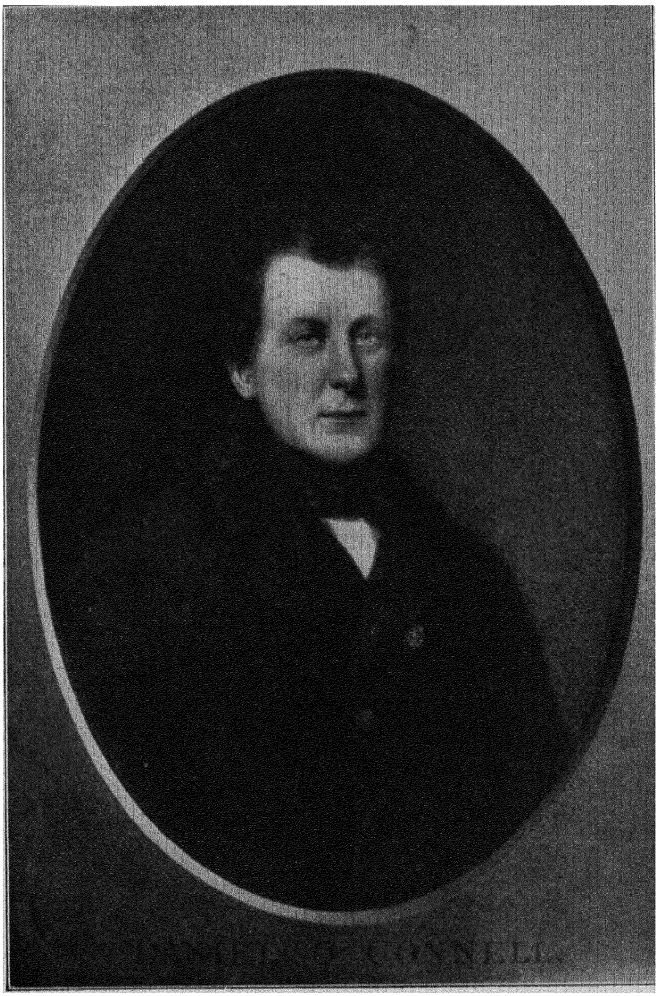
behaved with scandalous unfairness, refusing, in many cases, the expenses of the men's witnesses, speaking of the accused men as "acquitted felons," and striving to keep the proceedings of the Committee a dead secret. But they were no match for the tireless energy of Place and his friends, who actually persuaded the Attorney-General Copley (afterwards Lord Lyndhurst) to refuse to draw up the Government measures. The powerful Radical press began a campaign of agitation in the country. Place openly defied the Committee, who threatened to commit him for contempt, but were not foolish enough to put their threats into execution. One by one the obnoxious clauses of the new measure were abandoned, and, finally, the repealing Act of the previous year was virtually re-enacted, with the addition of one or two sections directed against intimidation; while the right of combination to reduce hours of labour and increase wages was expressly admitted.

Thus ended the first great legislative triumph of the Reform Party. It would be unfair to ascribe the opposition to the measure entirely to selfishness. There were, no doubt, a large number of humane men in the ranks of the Government supporters, and even among the employers, who believed that the welfare of the country depended on the maintenance of a system which left the interests of the labourers and artizans at the mercy of the propertied classes. This view was a natural inheritance from the *status* system of the Middle Ages; and it may, in its origin, have been justified by

facts. But the conditions had wholly changed. The capital of the country was rapidly passing from the hands of the landowners to those of the great manufacturers, who had made their fortunes by precisely the same methods which they now proposed to forbid to the artizans. Many of the latter, owing to the zeal of the educational reformers, and the spirited efforts of the Benthamites, were quite as capable of exercising their own judgments, as the landowners and capitalists themselves. The old Combination Laws had, doubtless, nominally controlled the employers as well as the operatives. But it was notorious that, as regarded the former, they had long been a dead letter. Nay, with the repeal of the Apprenticeship Laws, and the abandonment of the system of fixing wages by the Justices, the capitalists had definitely rejected the old scheme of labour regulation, much to the dislike of the labouring classes; and thus there was no reasonable excuse for the retention of the Combination Laws.

In the next great development of Reform, the centre of interest is shifted from England to Ireland. The results of the Union had, at first, appeared to be favourable to the smaller country. The artificial inflation in the prices of agricultural produce, due to the long war and the Corn Laws, multiplied the number of small holdings; for the great proprietors, confident in being able to secure the votes of their tenants, adhered to the practice of creating forty-shilling freeholds. But the increase in rents led to extravagance on the part of the gentry, and, as the abolition of the Dublin

Parliament reduced the attractions of the Irish capital, the evil of absenteeism rapidly increased. In the absence of its natural leaders, the control of the Protestant interest naturally passed to the middle and lower ranks of the north ; and Orangeism, with its bitter prejudices, was deliberately fostered by the English Government, as a means of maintaining the English supremacy. With the close of the war, the natural reaction followed ; and many of the evils of 1793 reappeared. The financial arrangements of the Union had, in the unanimous opinion of the Royal Commission of 1894, "imposed upon Ireland a burden which, as events showed, she was unable to bear" ; and matters were not remedied by the consolidation, in 1816, of the National Debts of the two countries. The enormous increase in the expenditure of Great Britain during the war had borne hardly upon the revenues of Ireland ; for the ratio of taxation between the two countries had been fixed by the Union at $7\frac{1}{2}$ to 1, and, while the wealth of Great Britain supported, with comparatively slight difficulty, the increased burden, the effort was too much for the sister island. This assertion is abundantly proved by two significant facts. While in Great Britain 71 per cent. of the expenditure, during the years 1801–16, was defrayed by taxation, and only 29 per cent. by loans, in Ireland only 49 per cent. could be raised by taxation, leaving 51 per cent. to be obtained by loan. And, though the fiscal arrangements of both countries were, of course, in the hands of the British Ministers, it was found impossible, long before the end of the war, to raise the Irish loans in Ireland, so great was



DANIEL O'CONNELL, M.P. (1775–1847).
Portrait by Mulrenin, in the National Portrait Gallery.

the exhaustion of the country. The war had, in effect, saddled Ireland with an enormous debt (upwards of 111 millions), the interest on about 80 per cent. of which was payable to British fund-holders. Nevertheless, no change in the ratio of taxation was made in 1820, when the period fixed for revision by the Act of Union arrived. Finally, even the fiscal reforms of Huskisson threw an additional burden on Ireland; for the sweeping abolition of Customs duties on the imports peculiar to Great Britain, imposed heavier taxation on the staple articles which were common to the two countries.

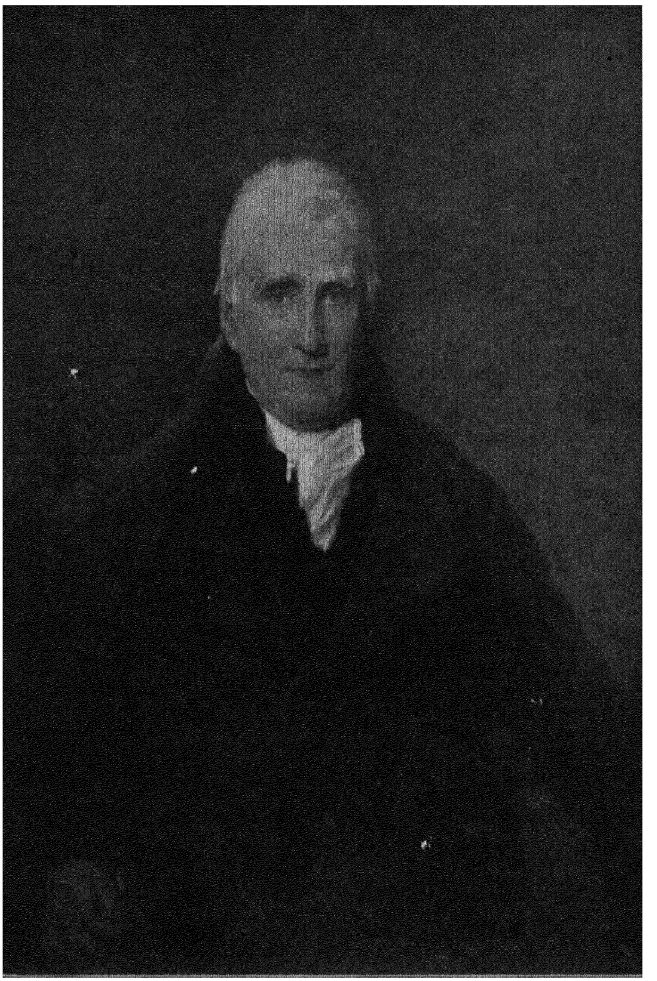
At this juncture, the cause of Ireland was championed by the greatest political agitator of modern times, Daniel O'Connell. A fervent Catholic, a superb orator, a skilled and successful advocate, a man of great judgment and astuteness, an indefatigable worker, a kindly character—he was ideally fitted, not only to arouse enthusiasm amongst his fellow-countrymen, but (which was even more important) to restrain it within moderate bounds. He found the Catholic cause languishing from the inefficiency of its aristocratic leaders, and hampered by a split over the famous question of the "Veto," *i.e.*, the proposal, favoured by the Papal See, to allow the State a veto on the appointment of Catholic bishops Obtaining a seat on the Catholic Committee, he rapidly assumed the direction of its affairs; and from that moment (about 1810) the claims of the Catholics assumed a new energy. O'Connell at once grasped the fact, that the establishment, in 1795, of the

Catholic College at Maynooth, had placed a new and powerful weapon in the hands of the Catholic party. Before this date, the bulk of the Irish priesthood had been, if not foreigners, at least educated abroad; and although, in the later stages of the Rebellion, their influence had been felt, they were, in general, largely alien in sympathies from the masses of their flocks. But now the native priests, educated at Maynooth, had obtained a firm hold on the peasantry; and the improvement in their material condition, and the increased efficiency of their ministrations, resulting from the repeal of the persecuting laws, had rendered them a real power in the land. With the priesthood O'Connell entered into a firm alliance; and when, in 1823, he formed the Catholic Association, they rallied as one man to his standard. Catholic Emancipation was preached from every Catholic pulpit; and the "Catholic Rent," the subscriptions of the poor, soon became a formidable fund, available, not only for the purpose of direct agitation, but for the defence of the Catholic peasantry against every form of oppression.

It cannot be denied also, though O'Connell would have been unwilling to admit the fact, that the Parliament at Westminster was a far more hopeful tribunal in the matter of the Catholic claims than the old packed Parliament on College Green. In spite of the obstinate prejudices of George III., a very considerable body of Whigs had always favoured religious equality. The Liverpool Ministry of 1812 had expressly treated Catholic Emancipation as an open question. Canning was known to sympathize

with it, and Canning was looked upon as the man of the future. Another rising politician, Lord John Russell, gave it his hearty support. Castlereagh was known to be in favour of it. The Radicals were, of course, bound to approve it. Grattan's Bill of 1813 was lost only by a minority of four. Even the House of Lords, in 1816, only rejected a motion in favour of Relief by four votes. In 1817, as has been said, a measure throwing open the Army and Navy to Catholic officers was carried without serious opposition; and, in the same year, and again in 1819, Grattan's motions in the House of Commons were only defeated by the narrowest majorities. In 1821, after Grattan's death, a Catholic Relief Bill actually passed the Lower House; and, in 1822, the Ministry, under the influence of Canning, definitely adopted a measure to admit Catholic Peers to the House of Lords.

But, by this time, the fears of the Protestants had been thoroughly aroused; and they determined to repeat the move which had, so often before, been successful in disappointing the hopes of the Catholics. Their great champion, Lord Eldon, approached the King, and soon persuaded the feeble mind of George IV. that, by consenting to a Catholic Emancipation Bill, he would be violating that Coronation Oath by which he had bound himself to maintain the Protestant religion as by law established. It is not to be wondered at that George IV. should have somewhat vague ideas as to the value of an oath. But it is indeed surprising, that men of trained intellect, professing legal and constitutional knowledge, should



LORD ELDON (1751–1838).

Portrait by Sir Thos. Lawrence, P.R.A., in the National Portrait Gallery.

have gravely pretended to believe in a fallacy which had been exposed even before the end of the seventeenth century, and which is, further, of so patent an absurdity, that even a schoolboy might laugh at it. When William of Orange swore to maintain the Protestant religion, he made a solemn promise for himself and his successors to the country which he had been invited to govern; but he never promised to thwart the wishes of that Parliament which had conferred upon him the Crown. Even if it be admitted, that Catholic Emancipation involved a failure to maintain the Protestant religion (a very large admission), there cannot be the smallest ground for saying that an assent by the Crown, in its legislative capacity, to a measure which had received the sanction of both Houses of the legislature, would have been a violation of the Coronation oath. The object, the perfectly well known and avowed object, of the Coronation oath, was to prevent a repetition of the conduct of James II., who, in his Executive capacity, had defied and evaded the express law of the land, and acted contrary to the wishes of the great majority of his subjects. It was never intended to prevent legislative changes, sanctioned by the legislature of the country. It is a cardinal principle of the Constitution, that no authority can tie the hands of the Crown in Parliament,—not even an express Act of Parliament itself. To deny such a proposition, would be to deny the possibility of progress, and to assert, that unborn generations may be for ever subjected to the despotism of long-dead ancestors, exercised in circumstances wholly different

from those of the present day, and without a possibility of foreseeing or considering the altered conditions of a future time.

It is, therefore, much to be regretted, that Lord Liverpool's Ministry, in its later days, though allowing measures of Catholic Relief to be passed in the Commons again and again, sat idly by whilst they were thrown out by the House of Lords. At last, however, with the death of Lord Liverpool, and the accession to power of Canning (1827), the prospects of the Catholics brightened; for Canning steadily refused to pledge himself to oppose them. So certain did it seem that the new Minister would take up the subject, that the extreme Tories, Wellington, Peel, and Eldon, retired from office. But the sudden death of Canning once more dashed the hopes of the reformers; and when, after the troubled period of Lord Goderich's premiership had come to an end (1828), the seals of office were once more entrusted to the Duke and Peel, it seemed as though all hope were gone.

But, in truth, the very apparent hopelessness of the situation called out the fighting qualities of the reformers. Almost immediately upon the Duke's assumption of office, Lord John Russell's Bill for the repeal of the Test and Corporation Acts secured the assent of Parliament. To outward seeming, this measure effected little change, for the Test and Corporation Acts had long been rendered nugatory by annual Indemnity Acts, which absolved from legal penalties those persons who had acted in defiance of the old restrictions; and, as a matter

of fact, Lord John Russell's measure was chiefly directed to the relief of Protestant dissenters.[1] But it was a hopeful augury; and, though the Ministry became even more sternly Tory by the withdrawal of Huskisson and the "Canningite" Whigs in the same year (1828), O'Connell determined on a bold stroke. The Ministerial changes consequent on the withdrawals necessitated the re-election for the county of Clare of Mr. Vesey Fitzgerald, who had been appointed President of the Board of Trade. Mr. Fitzgerald was a popular man, not unfavourable to Catholic claims. Nevertheless, the Catholic Association determined to oppose him. It had previously secured, against the opposition of the landowners, the return of Protestant candidates who pledged themselves to Catholic Relief. It now resolved to secure the election of a Catholic. O'Connell himself was put forward; and, in spite of Ministerial prestige and territorial support, in spite of the fact that O'Connell's victory would mean at least temporary disfranchisement of the constituency (for of course the Liberator, as a Catholic, would not take the Parliamentary oath), Fitzgerald was hopelessly beaten.

The effect of the move was electrical. It threatened, not merely Protestant ascendency, but social security. What had been done in County Clare could be done at the next election in two-thirds of the Irish constituencies. If the Association chose, it

[1] This was the second of Peel's three famous "surrenders." The first was on the currency question of 1819, the last on the Corn Laws. Mr. Thursfield has happily characterised Peel's greatness as that of "insight rather than foresight."



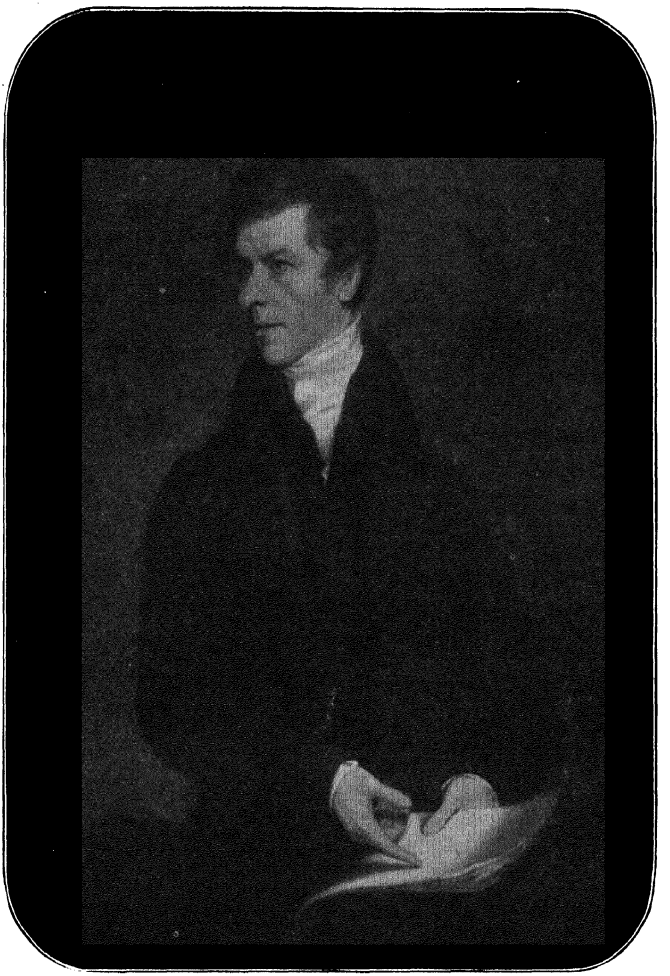
RIGHT HON. SIR ROBERT PEEL, BART., M.P.

(1788–1850.)

Portrait by Linnell, in the National Portrait Gallery.

could, instead of putting forward honourable Catholics, who could not take their seats, nominate hireling Protestants, who would strictly obey orders. A new power, of incalculable consequence, would thus be introduced into the House of Commons. Worse still, it was impossible to say how long O'Connell would be able to retain the control of those forces which he had hitherto so admirably kept within the bounds of order. The Protestant Orangemen and "Brunswickers," highly organised, were spoiling for a fight; and the myrmidons of the Association, equally well drilled, were hardly the men to baulk them.

The Duke surveyed the situation with the cool eye of an experienced general; and decided for surrender. Peel, already more than half convinced, agreed. How the prejudices of the King were overcome will never be exactly known; but, after some hesitation, he gave a reluctant consent. The sterner Tories were furious. Peel was the special object of their hatred; and upon him the storm fell. He deemed it right to resign his seat for Oxford University, was beaten by Sir Robert Inglis at the new election, and with difficulty secured a seat at Westbury in time to take charge of the Government measure in the House of Commons. But the docile followers of the Government, supported by the force of the Whig Opposition, triumphed over all obstacles. A meaningless Bill was passed, in February, 1829, for the suppression of the Catholic Association. The forty-shilling freeholders in Ireland were disfranchised by a measure which raised the qualification to £10. But the emancipating Bill, after passing the



LORD BROUGHAM.

(1779–1868.)

Portrait by James Lonsdale, in the National Portrait Gallery.

House of Commons by a very large majority, was carried in the Lords by a substantial margin; and received the royal assent on April 13th. All offices and positions in the State, with one or two important exceptions, were thrown open to Catholics; and the Oath of Supremacy was modified, to enable them to sit in Parliament.

On June 26, 1830, George IV. died; and on July 24th Parliament was dissolved. There followed immediately an event which gave a powerful impulse to popular feeling in England, viz., the French Revolution of July. Charles X., the Bourbon King, attempted to abolish, by a *coup d'État*, the liberty guaranteed by the Constitution of 1815. He failed ignominiously, and fled the country, being replaced by Louis Philippe, the head of the Orléanist branch of the royal house, with a Charter of public liberties. Polignac, the arbitrary Minister of the deposed King, was an intimate friend of Wellington; and his failure reacted strongly on the English constituencies. At the elections in August the Tories lost heavily, and, not content with the warning, took their revenge of Peel, by deserting the Government on Sir Henry Parnell's motion for a reform of the Civil List. The Ministry was defeated, and resigned; and a Whig Cabinet, under the leadership of Earl Grey, came into office. Before the defeat of the Government there had been a great cry for Parliamentary Reform; and Brougham had secured a place for a motion on the subject on the very day before the resignation. The new Ministers refused to take office, except on the condition that Reform should

be a Cabinet measure; and the King, who was credited with Liberal sympathies, accepted the terms. Thus, almost before it had realised the fact, the country was plunged into a great national struggle; for Wellington had but a few weeks before stated his complete and unqualified opposition to the movement. And Peel was passionately with him.

The rival parties now marshalled their forces. On the one side were the clergy, the landowners, the army and navy, the universities and the Inns of Court, and the government officials—in a word, the vested interests of the country. On the other stood the manufacturers of the North, the shopkeepers and small tradesmen, and the great mass of the new artizan classes. The Cabinet behaved with great wisdom. They eliminated their brilliant but indiscreet supporter, Brougham, from the House of Commons, by offering him the splendid prize of the Great Seal. The nominal leadership of the Commons was entrusted to Lord Althorpe, a popular and loyal member of the Cabinet; but the introduction of the great measure was reserved for a younger man of greater tact and ability, though of no commanding genius. A Committee, consisting of Lord Duncannon, Lord John Russell, Lord Durham, and Sir James Graham, was appointed to draw up alternative schemes. Two plans were produced by this Committee. That of Lord Durham proposed to divide the country into equal electoral districts, and to assign a member to each. This scheme represented, of course, the views of the

Radicals. It appeared to have the merits of justice and simplicity; but it had also one fatal defect. It could not have been carried without a violent revolution. Lord John Russell's plan was thoroughly characteristic, both of English methods, and of the views of that great Liberal party which he, perhaps more than any other man, represented and formed into coherent action. It proposed to disfranchise entirely fifty of the smallest and most corrupt boroughs, and to deprive fifty more of half their representation; to add the seats thus gained to the counties and the large towns; to substitute for the anomalies of the borough franchise an uniform rental qualification of a comparatively small amount; and to add the same qualification to the existing county franchise. Though the plan involved a measure of great length, its general outline was perfectly simple; it involved no decided breach with the past; it destroyed nothing which any reasonable man could defend; and, at the same time, it satisfied the aspirations of those who saw that the old Whig plan, of peddling with details, had already been condemned on all sides. When, after the Christmas recess, Lord John Russell introduced the measure to the House of Commons in a singularly skilful speech, it was received by the whole of the reforming elements in the country with an almost unanimous shout of welcome; and the opponents of Reform settled themselves down, with a dogged persistency, to dispute the Bill inch by inch. At last the battle was to be fairly fought out.

Perhaps it is necessary here to explain very briefly

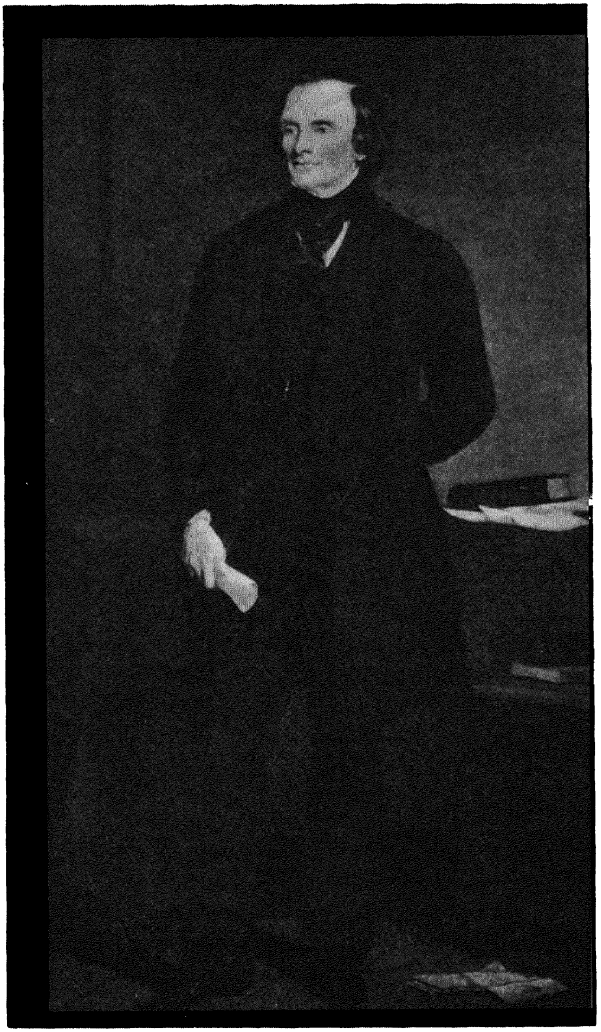


Photo by] [*Walker & Cockerell.*

LORD JOHN RUSSELL (1792–1878).

Portrait by Sir Francis Grant, in the **National Portrait Gallery.**

the features of the old electoral system, which aroused so much ill-feeling in the country. From the earliest days of the House of Commons, the county representation had been fixed at two members each; and a statute of the reign of Henry VI. had confined the county franchise to those having "land or tenement to the value of forty shillings by the year at least." This somewhat vague enactment, originally intended as a restrictive, not as an enabling measure,[1] had long been construed to mean, that ownership of a freehold estate in land worth at least £2 a year was the sole qualification for the county franchise. This qualification would, with the long continued fall in the value of money, have placed the county franchise on a very democratic footing, but for the fact that, with the disappearance of the yeoman class, and the substitution of tenants holding under leases for years or yearly tenancies, small freeholds had almost entirely disappeared from the country districts, with the evil exception of those created expressly for voting purposes. Thus, the wealthy farmer, however long his lease, the copyholder, however substantial, and the retired tradesman, who lived in a hired house, were totally excluded from the county franchise, which was wholly in the hands of the great landowners, the beneficed clergy,[2]

[1] The origin of the county franchise is wrapped in obscurity. Even so early as the fifteenth century it was a matter of dispute.

[2] When Archbishop Sheldon, in 1663, somewhat irregularly renounced, on behalf of the Church, the privilege of voting the clerical taxation in Convocation, the beneficed clergy obtained votes in respect of their parsonages and glebe lands. The same transaction ultimately gave rise to the claim of the clergy to stand for Parliament, a claim

and such dependents of great families as had been given cottages for their lives. Notwithstanding these anomalies, the political reputation of the counties stood high; and it is almost certain that no great popular feeling could have been aroused by a scheme to reform their representation alone. In the eighteenth century the landowners, many of them Whigs, had stood manfully against the corruption of the Court; and it was not until the appearance of the Indian "Nabobs," with their boundless wealth, that county elections became venal.

Very different was the position of the Parliamentary boroughs. The principle on which these were originally selected is a matter upon which historians fail to agree; but it is clear that, for at least a century after the establishment of the House of Commons, the choice of borough constituencies fluctuated from election to election, and was largely in the discretion of the Crown officials. In the fifteenth century the right to return members to Parliament began to be granted by corporation charters;[1] and these, of course, could not be violated in quiet times. But many of the boroughs were only too anxious to escape the honour of being represented, which involved the payment of higher taxation, and the wages of their members. And it long remained easy for the Crown to alter

which was successfully asserted by Horne Tooke in 1801, but formally abolished in the same year. The exclusion applies to clergymen of the Established Church, whether beneficed or not, and to Catholic priests; but not, of course, to the Protestant dissenting clergy.

[1] The little borough of Much Wenlock, in Shropshire, claims (I know not with what accuracy) to be the oldest example of this practice.

the balance of parties in the House of Commons by the expedient of sending writs to boroughs, not hitherto represented, which were peculiarly under Crown influence.[1] With the growing importance of the House of Commons in the sixteenth century, this practice was freely adopted; and the boroughs thus created ultimately became the rottenest of the "rotten boroughs" of the Reform time. The prerogative of the Crown to create new constituencies of this kind fell into disuse at the end of the seventeenth century;[2] and thus, at the very epoch in which the development of commerce, and the growth of new industries, were rapidly shifting the whole balance of interests, and building up new towns of great wealth and population, the representative system became rigid and unalterable, save by Act of Parliament. So clear was the case for Reform, that even the sweeping measures of the Long Parliament, adopted by Cromwell in 1654, met with the approval of so strong a royalist and conservative as Lord Clarendon, who describes the step taken by Cromwell as "an alteration fit to be more warrantably made, and in a better time."

But the anomalies of distribution did not end the evils of the borough system. The anomalies of the franchise were still worse. There was no uniform qualification like the forty shilling franchise in the counties. The writs directed to the boroughs had usually been silent on the methods of election;

[1] *E.g.*, in the Duchy of Cornwall.

[2] The last example of the creation of a Parliamentary borough by mere writ is said to have been Newark, in 1673.

and only here and there had an Act of Parliament interfered. As a consequence, the franchise was, in each case, governed purely by local custom ; and the confusion and uncertainty were almost unfathomable. In some instances the owners of certain tenements were alone allowed to vote, in others the town council monopolised the franchise, in others the right was vested in the freemen of certain industrial gilds, in others a still smaller body, such as the leet jury, claimed the sole privilege of voting, in others the monopoly was claimed by certain mysterious persons known as "potwallopers;" only in a few cases all the burgesses paying "scot and lot" were entitled. This evil extended far beyond its obvious consequences; for it gave rise to endless disputes about the results of elections, and these disputes were, at any rate until the passing of Grenville's Act in 1770, decided by committees of the House, or by the House itself, on the purest principles of party prejudice. One of the minor evils of the old state of affairs was, the inordinate length of the time during which the poll was kept open ; an evil which, combined with a process of open voting, led directly to the practice of bribery and intimidation. But perhaps enough has been said to explain the situation in 1831.

It may appear incredible, that men of eminence and public spirit should be found to defend in principle the anomalies of the unreformed system. But they who find a difficulty in believing the facts underestimate the tenacity of vested interests. When, by the Revolution of 1688, the supreme control of

the country passed, virtually, to the House of Commons, the possession of a seat in that body became an object of great value. Its holder, if he were a man of wealth, birth, or ability, might hope to rise to the highest offices in the State; its patron, who could secure the return of his own nominee, was a person courted by Ministers, and could look forward to peerages and other honours. The small boroughs became the prey of the neighbouring landowners, often, it is to be feared, the willing prey. The little bodies of voters organised themselves for corruption. They appointed agents to deal with offers, to receive the price, and to divide it among the conspirators. Or, they were coy; they hung back until the close of the poll, to strike a harder bargain. If they were the governing body of the town, they were thought to be unusually honest if they offered their votes to a nobleman who would undertake to act as the treasurer of the municipality, and defray its deficit out of his own pocket. The Corporation of Oxford, caught in the act of such a bargain in 1768, saw its mayor and aldermen committed to Newgate by a House of Commons which was indignant at the stupidity which had allowed the discovery to be made; but the worthy magistrates, nothing daunted, continued their negotiations with the Duke of Marlborough and Lord Abingdon from the comfortable security of the gaol. As the competitive instinct grew, patrons became more and more sordid, and openly accepted the highest bids. The Government, finding it easier to deal with a few patrons than to risk the unknown chances of an open election,

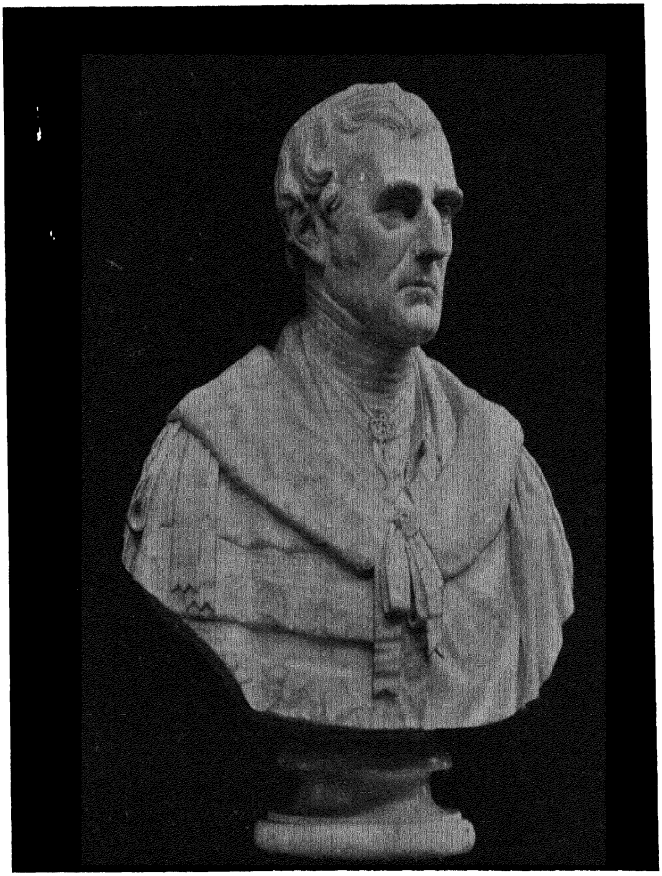


Photo by] [*Walker & Cockerell.*

THE GREAT DUKE OF WELLINGTON.

(1760–1852.)

From the Bust by J. Francis, in the National Portrait Gallery

defended the system as one of the curious but valuable mysteries of the British Constitution. It became almost an axiom that the business of the country could not be carried on in any other way. The Duke of Wellington, on the very eve of the Reform Bill, declared it to be his solemn conviction, that the legislature and the system of representation possessed, and deservedly possessed, the full and entire confidence of the country. In all probability, more than half the members of Lord Grey's Cabinet, in their hearts, disliked Lord John Russell's measure. It was, in fact, an attack on property; and few owners of property can be brought to see that their own property is unjustifiable, though they may be willing enough, on occasion, to confiscate that of others.[1]

Thus, as so often happens, that which was really the most potent, though not the most conclusive argument in the great struggle, could not be openly urged by the more respectable of the party which relied on it. For it is the best proof of the unsoundness of the argument from vested interests, that its champions were ashamed of their weapons. The old transcendental method, which had proved so alluring in the magic setting of Burke's eloquence, now fell somewhat flat; for Wellington and Peel were not the men to repeat Burke's dazzling rhetoric. When Burke urged that the constitution was a great living

[1] The men who resisted the abolition of the patronage of Gatton and Old Sarum in 1831, had cheerfully abolished the franchise of thousands of Catholic freeholders in 1829. But perhaps the argument was, that the franchise is not property, though the patronage of the franchise is.

organism, palpitating with the subtle breath of ancient wisdom, and mysteriously intertwined in all its parts, so that an attack on one meant the imminent peril of the whole, men, ready to be convinced, felt that the teachings of philosophy were on their side. When Wellington and Peel, Sir Robert Inglis and Sir Charles Wetherell, expressed their conviction that the existing scheme represented the wisdom of ages and the perfection of human reason, their hearers had the uneasy conviction, that a vulgar dread of change was the real inspiring force of their arguments. The old sophistical plea that the rotten boroughs had brought to light such shining stars as the elder Pitt and Burke, Charles James Fox and George Canning, was repeated with wearisome iteration ; but the crude fact was, that this phosphorescence of decay had long ceased to shine, and that the patrons of close boroughs were now usually actuated in their nominations by the most sordid of motives. Had the great borough-owners really exercised their power as a sacred trust, the fate of the Reform Bill might have been very doubtful ; but the judgment of Heaven was upon them. The Opposition soon abandoned all general principles, and confined themselves to arguments of detail, wearisome, shallow and uninspiring, destined in the long run to fail.

The actual history of the measure is well known, and may be briefly disposed of. The Bill was introduced into the Commons on March 1, 1831, and, on the 21st of the same month the second reading was carried by the majority of a single vote. One of the most remarkable of the speeches on the second

reading was that of O'Connell, now duly seated for Clare, who, though he declared Ireland to be hardly treated by the measure, announced his intention of lending it his hearty support. The narrow majority on the second reading meant, of course, certain defeat in Committee; and, on April 22nd, General Gascoyne succeeded in carrying an amendment, to the effect that the total representation accorded to England and Wales should not be reduced. The point was not one which vitally affected the measure, and it was, in fact, afterwards conceded by the Ministry. But it was clear that nothing could save the Bill in the existing House; and the Cabinet determined to follow Pitt's precedent of 1784, and appeal to the constituencies. They acted with promptitude and decision. A Cabinet meeting was held on the very day of Gascoyne's victory; and the Ministers, with audacious boldness, ordered preparations for a dissolution to be made without obtaining the King's consent. After a somewhat critical interview with his Majesty, Lords Grey and Brougham succeeded in overcoming the royal scruples; and Parliament, which had sat for less than six months, was dissolved.

The result of the elections showed, beyond question, the feeling of the country. An overwhelming majority of Reformers was returned, in spite of all the efforts of the borough owners. The Cabinet was strengthened by the inclusion of Lord John Russell, and the fiery and brilliant Stanley, afterwards the great Earl of Derby. A new measure, almost identical with that of the previous session, was introduced by Lord John, and, on the 7th of July, the second reading was carried

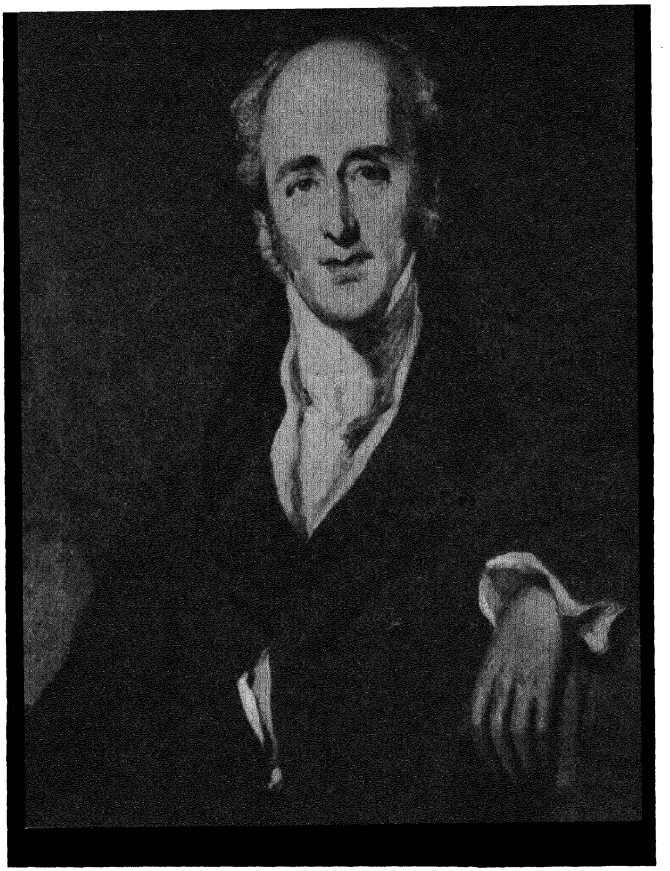


Photo by] [*Walker & Cockerell.*

CHARLES, EARL GREY (1764–1845).

Portrait by Sir Thos. Lawrence, in the National Portrait Gallery.

by the substantial majority of 136. Immediately afterwards, the Government gave a somewhat equivocal proof of its intention to repress the forces of disorder, by conducting a prosecution against Cobbett, one of the fiercest champions of Reform, for an article which had appeared in the *Political Register*. Cobbett escaped through the disagreement of the jury; but it was well known that only two of its members were for an acquittal. The majority for the second reading was large; but the Opposition were unbeaten, and, as a last refuge, now looming grimly in the near future, stood the House of Lords.

The fight now went on in Committee. Through wearisome days and nights the disfranchisement of each rotten borough was fiercely disputed. Advantage was freely taken of the fact, that the Government calculations had been based on the census of 1821, though the census of 1831 was approaching completion. There was no real reason to suppose that the results of the latter returns would in any way weaken the case for Reform; but the argument served to plead for delay. At last, on August 18th, the Opposition secured a memorable victory. The Marquis of Chandos moved to add to the proposed qualifications the "£50 occupation clause." This amendment aimed, of course, at conferring the county franchise on mere tenants-at-will, or at least, on tenants from year to year, a class peculiarly liable, from the uncertainty of their holdings, to vote according to the wishes of their landlords. The clause was thoroughly mischievous, not only for its effect on the purity of elections, but

because it would encourage the practice, so inimical to good agriculture, of taking land on insecure tenure But it was a masterly piece of tactics; for it placed the Government which opposed it in the fatal position of appearing to deprecate an extension of the franchise. As a fact, many of the Government supporters voted for the amendment, which was carried by a majority of 81; and the Ministers, not daring to appeal to the country on such an issue, meekly accepted their defeat.

An agreed amendment in the borough qualifications substituted the £10 occupation franchise for the original £10 rental clause; and then the measure, after a few more days of wrangling, was read a third time on September 19th, and passed the House of Commons three days later.

The eyes of the country were now turned anxiously upon the House of Lords. Until the end of the eighteenth century, that body, despite its anomalous position, had never been unpopular with the people at large. For one thing, there never had been much jealousy of social exclusiveness, or even political privilege, in England. Sensible men have a quiet contempt for such things, ambitious men hope to win them, ignorant and vulgar people admire them. For another, the House had never been, until the close of the eighteenth century, a slave to one party in the State. From the Revolution until the Ministry of Lord North, it had been very independent of the Government of the day, slightly Whig in its feelings, not undignified in its debates. But it had been ruined by Pitt, who had crammed it with obedient tools of

the Government, men promoted for their wealth or party influence, rather than for their character or their talents. It is a striking fact, that the fierce opposition in the Lords to the Reform Bill came, almost entirely, from the new peerage and from the bishops, while the holders of ancient titles were warmly in its favour.[1] Unhappily, the new peerage and the episcopal bench were in a majority ; and, on October 8th, the Bill was rejected by a vote of 199 against 158.

Two questions were now freely discussed. Would the King consent to create new peers for the purpose of carrying the Bill? Would the Ministers offer a compromise?

Both these questions were of serious moment. The former enthusiasm of the King for Reform was known to have grown weaker. The malign influence of Lord Eldon was again at work ; and he was backed, in spite of personal differences, by the more splendid talents of his successor, Lord Lyndhurst, beside whom the new Lord Chancellor, Brougham, with all his brilliance, was an undignified figure. The precedents for the creation of new peers were few, though, happily, the most important had been furnished by the Tories.[2] All the leading members of the Cabinet were either peers or sons of peers ;

[1] It was alleged that, on the division of October 8, 1831, of the representatives of peerages created before 1790, 108 voted for the Bill and only four against it ; while, of the peers of later creation, 150 voted against the measure and only 50 for it. I do not pretend to have verified the figures, which rest on the authority of Mr. Molesworth.

[2] This was, of course, in 1712, to procure a majority for the Peace of Utrecht.

and they were known to regard with great repugnance the prospect of inflicting a serious blow upon the independence of their own order.

So it was with real apprehension that the Reformers spoke of the possibility of "compromise." For it was felt that any "compromise" which would soothe the feelings of the Opposition would be fatal to the chances of a substantial measure; while the circumstances of the moment pointed unmistakably in that direction. Disturbances in the country gave the opponents of Reform only too good an excuse for playing upon the fears of the propertied classes. A combination between the Whig section of the Cabinet and the more moderate Tories might have proved fatal to the Ministry and the Bill. But the *Times* was fervently, even scurrilously, in favour of Reform; and the great majority of the Press followed suit. The Reformers outside Parliament worked night and day to convince the Ministers of the unabated confidence of the country. It was pointed out, with perfect truth, that the one step which produced an immediate effect in allaying disturbances, was an announcement by Ministers of their unalterable determination to carry their measure; while any sign of weakness was a signal for outbreaks. The Birmingham Political Union organised gigantic meetings. Other great towns followed suit, and the different local societies soon became the National Political Union, with its headquarters in London, largely directed by Place, who, with indomitable energy and a real genius for organisation, fought the advocates of "compromise" on the

one hand, and the "Rotundanists,"[1] who advocated extreme socialistic measures, on the other. Encouraged by these demonstrations, the Cabinet determined, after a short prorogation, to re-introduce the measure.

On December 12, 1831, Lord John Russell accordingly brought into the House of Commons the third Reform Bill. In order to soothe the Opposition, a few of the minor amendments, previously put forward by them, were embodied in the Bill; but its essential character was unaltered, and, indeed, the addition of a few seats to the populous towns may be regarded as a strengthening of its principles. There was little debate this time; and the great majority of two to one, by which it passed the second reading, is proof of the fact that the House of Commons at least did not believe in the vaunted "reaction." In the Lords it soon became evident that tactics were to be changed. The Bill actually passed the second reading on April 14, 1832, by the narrow majority of nine. But a specious amendment by Lord Lyndhurst, to alter the course of discussion, was accepted as a challenge by the Ministry, now confident of success; and, on the acceptance of the amendment by the House, the Cabinet placed its resignation in the hands of the King.

Now occurred the last and most dangerous crisis of the whole process. The King, having accepted the resignation of his Ministers, consulted Lord Lyndhurst, who advised him to send for the Duke of Wellington. The Duke, though he expressed

[1] So called from the fact that they met in a building known as "The Rotunda," near Blackfriars in London.

himself willing to assume office if no more suitable leader could be found, suggested Peel. But Sir Robert, who was at the time personally unpopular in the country, as well as with his own party,[1] could not face the situation; and, no other person being possible, the Duke undertook the heroic task of forming a Ministry.

The step was accepted as a declaration of war by the country. Place and his friends initiated a masterly move by threatening a run on the banks and huge placards, containing only the words—

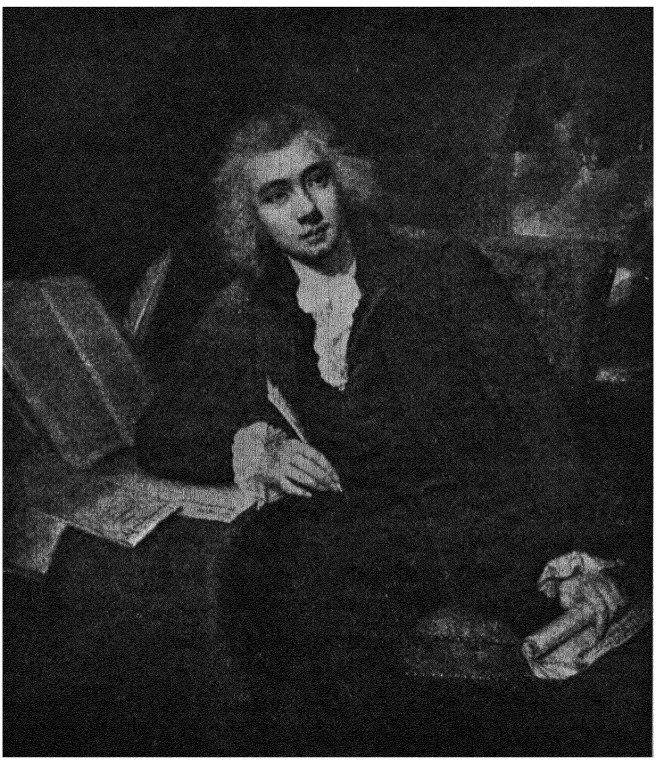
"TO STOP THE DUKE,
GO FOR GOLD,"

appeared, as by magic, all over the country. The effect was instantaneous. Place's more cautious friends were horrified; but the event proved Place's superior sagacity. The commercial classes, instead of being offended by the advice, acted upon it. This was clear proof that the agitation for Reform was not the work of the rabble. Even the bankers sympathised with the movement. The stocks fell rapidly. At last the iron courage of the Duke gave way. The King gave a written promise to Lord Grey to create as many peers as should be necessary to secure the passing of the Reform Bill; and the opposition in the Lords was doomed. It had been foolish from the first, from the point of view of its promoters; for it had set the valuable precedent, that the constitution of each House is as much a matter for the other

[1] He was, of course, unpopular with his own party for his surrender on Catholic Emancipation. But his new police force (the "Peelers") rendered him also unpopular with the masses.

as for itself. If the Lords may object to a reform of the Commons, desired by the Commons themselves, the Commons may insist on a reform of the Lords, though it be opposed by the Lords themselves.

The passing of the Reform Bill, which speedily followed the return of the Grey Cabinet to office, marks the end of the old order and the commencement of the new. The Reformed Parliament totally defeated all the malicious prophecies of those who alleged, that its meeting would be the signal for an outbreak of violent revolution. But it did set about the much-needed overhauling of the social and political fabric with skill and zeal; and the changes which took place between 1832 and 1840 made England almost unrecognisable by the survivors of the older system. Slavery was abolished throughout the Empire; the grievances of the new industrial workers were taken in hand; the Poor Law system was re-organised; the Established Church of England was warned by the creation of the Ecclesiastical Commission to set its house in order; and the monstrous endowments of the Protestant Establishment in Ireland were pared down. The corrupt municipal system of local government was swept away; the grievances of tithe collection were abolished · the newspaper stamp duty was reduced to a minimum; and popular education definitely, though gradually, acquired recognition as an object of State care. Most of these reforms were effected before the accession of Queen Victoria, whose reign of almost unbroken peace and progress, whose popularity and



WILLIAM WILBERFORCE, M.P.

(1759–1833.)

Portrait by J. Rising.

whose strength, were due largely to the almost ideal virtues of her own character, but largely also to the heroic efforts of those who had, in the last few years before her accession, broken down the barriers of social and political prejudice, without letting in the flood waters of revolution.





XII

HISTORY AND CRITICISM

IT remains now only to summarise the causes which have been at work to produce that curious development of British politics whose progress we have endeavoured to trace, and to point out a few of the chief consequences which have resulted from the acceptance of the system.

In seeking for the general causes which have led to a particular historical development, we look, naturally, in two directions. On the one hand, we try to detect the dominant convictions, aspirations, and prejudices which have swayed the actors in the drama; on the other, we study to seize those features of the environment which have helped or hindered these personal forces. History written exclusively from the former standpoint is literary history; history written from the latter is scientific history. To be complete, history should be both literary and scientific.

It may be assumed, with tolerable safety, that the force behind the political movement of the later

seventeenth century, was no abstract passion for republicanism. If that passion had ever been a powerful factor in English politics, it had been thoroughly discredited by the experience of the Commonwealth; and, indeed, the more progressive statesmen of the period had to reckon, not on popular enthusiasm for liberal ideas, but on a steady popular opposition to anything that savoured of reform. The nation was, in fact, just in one of those moods of reaction, in which it was prepared to uphold and cherish every abuse which could be invested with the halo of antiquity. Even Hobbes' speculations, daring as they seemed to his contemporaries, led their author into championship of the ancient order. And, though Locke's great influence ultimately went the other way, it is by no means clear that the absolute and arbitrary exercise of authority, against which he so nobly protests, was not, in his own mind, as likely to be asserted by a republican assembly as by a monarch.[1]

But, if there was no abstract passion for republicanism, still less for social equality, in the statesmen of the late seventeenth century, there grew up in their minds a fairly strong conviction of the practical dangers of a *jure divino* monarchy. The strongly legal cast of mind which the more honest among them had inherited from the older heroes of the Parliamentary struggle—from Coke, Eliot, Pym, Selden, St. John, and Maynard—caused them to cling tenaciously to the constitutional side

[1] See especially *Two Treatises of Civil Government*, Bk. II. cap. xi. (*Of the Extent of the Legislative Power.*)

of the English kingship. The Conservative Opposition which had begun the Civil War, and which afterwards severed itself from the more extreme spirits who carried it to a triumphant conclusion, revived with the Restoration. All serious statesmen recognised the legal checks on the prerogative imposed by such venerated monuments of antiquity as Magna Carta, the *Confirmatio Cartarum*, the Statute of Tallage, and the first Treason Act of Edward VI.; and they were not prepared to give up even more modern safeguards, such as the Petition of Right and the Triennial Act. They were not quite clear how these checks were to be enforced against a king who desired to defy them; for, in the flush of victorious royalism, all men, cleric and lay, held fast to the sacredness of the royal person. But it may safely be said that, with the exception of the extreme High Church and Tory party, no considerable body of Englishmen was prepared, even in the years immediately following the Restoration, to profess adhesion to the doctrine of an absolute monarchy.

Charles II. was far too shrewd a man to put the patience of his loyal subjects to a violent test. As has been said, for the first few years he walked warily; and, even when increasing confidence begat recklessness, he ventured no open defiance of the law. Unhappily, it soon became clear that there was, even within legal bounds, abundant scope for mischief. If the King chose to squander in idle extravagance the money voted by Parliament for carrying on the business of the nation, he could not be accused of breaking the law. Parliament might talk about

refusing supplies; but such a course, though not without precedent, would really have harmed the nation more than the King. For out of the large hereditary revenues granted at the Restoration, the King could supply his personal needs. The real sufferers by the refusal of supplies would have been the public officials and the navy. If the King chose to fill the offices of State with worthless parasites, no one could allege that he acted beyond his legal powers; for all public offices were in his gift. If, grown yet more selfish and callous, he chose to sell the nation's honour to the French Court, and to sign a treaty which delivered up the nation's allies to the vengeance of their foes, there was no legal redress; for the treaty-making power was, unquestionably, by the Law of the Constitution, vested in the Crown. During the later years of Charles' reign, the conviction slowly forced itself upon the reluctant minds, even of ardent royalists, that the power for evil lodged in the hands of a vicious and heartless king was abundantly great. Men so different in position and character as Clarendon, Guildford, Temple, and Pepys, saw the fact, and lamented it; and yet they shrank, as did all but the scattered remnants of the Puritan party, from anything that might recall the days of the Long Parliament. There seemed to be no way out of the difficulty.

But a man's wits are often sharpened by the pressure of personal danger; and it has more than once happened, that a statesman who has failed to avoid an awkward situation, has shown much dexterity in extricating himself from it. The loyal

maxim—the King can do no wrong—had a sound complement, that the royal commands are no excuse for wrongdoing. And so the official who alleged, as excuse for misbehaviour, the personal orders of the king, found himself met by the polite fiction which declined to credit the existence of such orders—with the logical consequence, that he was held to have been the author of his own misdeeds. It had never been necessary for the success of an impeachment, to prove actual illegality on the part of the accused. It was sufficient that his conduct was disapproved by the highest tribunal in the land, whose judgment had been invoked by the representatives of the people. The impeachment of Danby showed that this sound rule of law had survived the storm of Restoration loyalty. And, as it became lamentably clear that, despite his easy good nature, Charles was not the man to risk a hair in defence of the servant whom he had exposed to popular vengeance, men with estates and character to lose began to shrink from the dangerous honour of public office. The fate of Strafford stood as a warning beacon in the path of ambitious men; for no one could for a moment imagine that Charles would be more heroic than his father. This may well have been one reason why mere adventurers like Bennet, Will. Coventry, Berkeley, and Downing, found it easy to secure high office, and still more easy to lose it.

But if, in one way, the prospect of holding high office in the State thus became less attractive to men of position, in another its allurements became more intense. For Charles II. was the first English

monarch since the battle of Bosworth who was prepared to play the part of *roi fainéant:* to leave the realities of power in the hands of his Ministers, whilst contenting himself with the luxuries of royalty. His grandfather, James, had been hoodwinked, no doubt, by his favourites. But Charles, who could not be hoodwinked, was too idle to care for power, and gladly transferred the cares of State to more willing shoulders. It was a superb opportunity for men of real ambition; and it is hardly to be wondered at that such men only waited until they could discover some bulwark, more trustworthy than royal favour, against the storms of Fate, before plunging once more into the race for power.

This bulwark they found in political connection. No Minister could stand alone against the hostile criticism of disappointed rivals. But it might well be that, by a combination of interests, a group of Ministers might defy attack, at least an attack based on no very stable grounds. This was really a novel feature in the politics of the later seventeenth century. The strong hand of the Tudor monarchy had bound each individual Minister closely to the service of the Crown; but it had not tolerated concerted action amongst Ministers. We can imagine the wrath with which Henry VIII. or Elizabeth would have heard of secret meetings of the royal officials. Strong political association had appeared among the heroes of the Long Parliament; but they were in opposition, not in office. That the defection of Strafford should have aroused deep feelings of resentment, may be regarded as a sign of change, a change which was gradually to

transform the character of English politics. It was in this respect that the Cabal of 1667 anticipated a modern Cabinet; and the disfavour with which the experiment was regarded is proof of the novelty of the situation. Ill-assorted as were the members of that notorious body, and devoid of principle, it was recognised that they, as well as their more respectable successors, the "Junto" of 1697, depended for their safety, not merely on the favour of the Crown, but on their mutual good offices and interests. And it is clear, that the new device was looked upon as an unwarranted encroachment on the prerogative.

At the critical moment, however, the new tendency was powerfully stimulated by events. Charles II. had, on the whole, kept within the law. His successor defied it; and defied it in such a way as to arouse the hostility, both of the nation and the nation's leaders. The passionate loyalty of the High Church party gave way before James' attempt to Romanise the English Church. It became clear that something more was necessary than the refusal of supplies, or the impeachment of Ministers. The prerogative had to be shorn of its power for evil; the King himself had to be removed. The former proposition involved the latter; for James was not the man to place fetters on his own limbs.

But the task involved extreme danger; for, of course, it entailed the commission of that high crime, which ceases only to be a crime when it is successful. No one could doubt, that failure would entail the last penalty of the law, even if it did not once more

involve the nation in civil strife. It is no wonder that the actors in the drama took anxious counsel together. The famous letter to William was much more than an invitation to the Prince of Orange. It was a guarantee of the mutual loyalty of the subscribers. Macaulay, with his usual dramatic force, has told us how Nottingham, who at first gave his adhesion to the invitation, afterwards felt bound by conscientious scruples to withdraw it. But the Tory leader realised fully the effect which his withdrawal was likely to produce upon his former associates; and, probably to protect himself against the danger of assassination, he voluntarily offered his life as a pledge of his secrecy. It is creditable alike to the characters of Nottingham and the Whig leaders, that no precautions were taken to ensure the Earl's silence.

It is hardly too much to suggest, that the exciting and anxious months, which virtually decided the form of the Revolution, also gave a powerful stimulus to the growth of political connection. It is true that the invitation to William was signed by Tories as well as by Whigs—by Compton and Danby, as well as by Devonshire and Shrewsbury. But, in the discussions which followed the landing of the Prince of Orange, it was clear that the Tories already half repented of their action. At any rate, it is certain that their efforts were directed mainly towards restricting the change to the narrowest possible limits; whilst their opponents, the Whigs, were bent on effecting a substantial alteration in the Constitution. And, as time went on, it became more and

more evident that, given ordinary prudence on the part of the exiled House, the Tories were fully prepared to retrace their steps. Thus, first by the labour of their efforts to effect a firm settlement, and afterwards, from a growing sense of danger, the Whig leaders drew closer together, until at last they formed a united group, with much of the cohesion which marks a modern Ministry. No doubt they had their private quarrels : but, to the outside world, they presented an unbroken front.

It could not, however, escape their sagacity, that a small group of great noblemen and officials, unable to count on the special favour of the Crown, and not backed by any great following in the country, occupied, in spite of the talents of its members, a somewhat insecure position. The Tory organisation lay ready to hand, in the parochial machinery of that institution which then exercised such a powerful influence in the country, the Established Church. The Whig leaders determined to organise a corresponding machinery, by collecting together all those elements which, by nature or circumstances, seemed likely to stand firmly in favour of the Revolution settlement. The nucleus lay, of course, in the survivors of the old Exclusionist party, the men who had supported the Bill which, in 1679, had threatened to shut out James from the succession to the throne. These men could urge, with great show of reason, that, if their plan had been adopted, all the troubles of James' reign would have been avoided. Much of their strength lay, no doubt, in the dissenting congregations which, even under the iron system of the

Restoration, had caused no little anxiety to the supporters of exclusive orthodoxy. The dissenters had received substantial benefits from the Revolution; for the Toleration Act of 1689 had been a real advance towards religious liberty, and, though it had actually been introduced by the Tory Nottingham, those who gained by it some degree of freedom of worship felt that they owed their liberty to the Whig leaders, who had made the Revolution an accomplished fact. The Whig leaders had also been mainly instrumental in restoring to the chartered towns those rights of self-government of which they had been shamelessly deprived by the Ministers of Charles and James; and, though they had deservedly failed in their vindictive attempt to proscribe the men who had acquiesced in the high-handed proceedings of Jeffreys and his colleagues, the changes of 1690 must have greatly increased the Whig influence in the boroughs. The establishment, in 1694, of the Bank of England, created a permanent stronghold of Whiggism in the heart of the great city of London; for the maintenance of the Bank of England was bound up with the existence of the National Debt, and few of the fund-holders doubted, that one of the first acts of a Jacobite Restoration would be to repudiate a liability which had been incurred for the express purpose of maintaining William on the throne. Finally, to one of the most conspicuous of the Whig leaders, Thomas Wharton, is attributed the foundation of that elaborate system of canvassing, which has, ever since the close of the seventeenth century, been one of the most

conspicuous features of the English political system.

Thus was organised, during the first few years of William's reign, that great Whig party which, on the death of Anne, assumed control of the destinies of England, and held it for half a century. At first mainly an organisation for defence, it soon became, from the force of circumstances, an active power in the conduct of affairs. The foreign ruler who succeeded, in 1714, to the throne of Great Britain, found in it the one possibility of safety. The Tories who were loyal to the Act of Settlement were unable to offer the King any such guarantee; for George, though he knew little of English affairs, knew at least that they could not hold their Jacobite followers down, that they were, in fact, not an organised party, but simply a small handful of prudent men trying to keep an organised party in check. But the Whigs, firm in discipline, and necessarily faithful to a settlement which alone saved them from impeachment as traitors, were safe, if somewhat exacting, protectors. An able and active ruler, such as William had been, would have used the Whig organisation without submitting to it. George I. was shrewd enough to see where his safety lay, but not sufficiently shrewd or energetic to control the situation. The whole responsibility of defending the throne against Jacobite plots fell upon the Whig leaders; and to Townshend, and Stanhope, and Walpole, it seemed not unfair, that those who took the risk should exercise the power. Thus the real government of the country passed, in the early years

of the seventeenth century, from the hands of the Crown into the hands of the Cabinet. It is tolerably clear that this arrangement was, for some time, looked upon as merely a temporary expedient. We have seen, for example, how George II., on his accession, tried to break through it. But the speedy failure of the attempt revealed the strength which the new system had attained, during a few brief years of experiment.

At this point there was a very real danger, that the government of England might take the form of a permanent bureaucracy. The disintegration of the Tory party, the somewhat unscrupulous use of his power by Walpole, the pressing fear of a Jacobite reaction, which justified, and indeed compelled a rigid discipline among the Whigs, tended to convert the Cabinet into a close body of officials, recruited virtually by co-optation, as casual vacancies occurred. So long as the Ministers succeeded in preventing the King from exercising his power of dismissal, there was no authority which could legally alter the composition of the Cabinet; and it seemed possible, that the legal power which the King undoubtedly possessed would, in course of time, become a mere formality, like the equally legal power of refusing assent to Bills passed by both Houses of Parliament.

But from this possibility England was saved, partly by the provisions of existing law, partly by sound constitutional traditions, still more by that wholesome interest in public affairs, and practical genius for politics, which have characterised the English race from early times. With a recent Triennial Act upon the statute-

book, it was impossible for the Ministry to stifle Parliament, as the States-General had been stifled in France. The maxim—"No taxation without representation"—forbade any attempt, however indirect, to raise money without frequent recurrence to the House of Commons; and it was, happily, quite impossible to carry on the government without taxation. Finally, the British Parliament in the eighteenth century was the last body in the world to allow itself to become a mere formality, assembled for the purpose of registering Ministerial decrees.

No sooner, therefore, had the Cabinet established its power against the Crown, than it had to face the criticism of a Parliament which, having long been accustomed to criticise kings, was not in the least likely to be bashful in pointing out the faults of Ministers. In fact, the critical functions of Parliament were now to be exercised with a severity and intensity unknown before. For the prominent member who, in the early years of the seventeenth century, could not help feeling that his activities were not unlikely to lead him to the King's Bench prison or the pillory, was now replaced by the prominent member who felt, that if he made himself sufficiently formidable, he might reasonably hope to gain lucrative office under the Crown. In spite of the temporary set-back of the Restoration, Parliament, and especially the House of Commons, had been steadily growing in power during the whole of the seventeenth century, and now felt itself to be the ultimate arbiter of the nation's destinies.

But the situation was somewhat peculiar; or, at

least, it was novel. For, as we have seen, just a few years before the accession of the Hanoverian dynasty, an important change in the law had excluded all members of the House of Commons, with a few important exceptions, from the holding of public office; or rather, had prevented the creation of new offices for the benefit of members of the Commons' House. Thus a very natural and obvious means of securing harmony between the Cabinet and the representatives of the people was seriously circumscribed. And the same feeling which had prompted the change for some time continued to hamper the growth of the new system. No one can read the debates which took place during the early years of the eighteenth century, without realising, that the more independent members of the House of Commons regarded the holder of office as, *primâ facie*, a suspicious person. The feeling was partly due to the traditions of hostility between Crown and Parliament which had survived from the Civil War, partly, it is to be feared, to the more recent memories of the Restoration period. It was necessary, if the Ministry was to secure the confidence of the nation, that it should be supported in Parliament by men who were not ostensibly biassed in their views by the possession of office. Had parties been at all evenly balanced, it would, no doubt, have been possible to appeal, with some confidence, to party principles. But it must again be remembered that the Tories, though unquestionably a numerous body, were regarded, during the reigns of George I. and George II., as outside the pale of practical politics.

Until the taint of Jacobitism had been finally purged from their ranks, all those sober citizens who looked upon the return of the Stuarts as the worst of all possible calamities, steadily supported the Whigs, and were inclined to wink very hard at any methods, however objectionable, which secured them in office.

This fact is the one justification for the plan which, despite all attempts at whitewashing, must undoubtedly be regarded as the deliberate policy of Walpole and his colleagues. Walpole felt that, though the great majority of the House of Commons, who called themselves Whigs, could always be relied upon to vote straight when the question was one which really menaced the safety of the throne, they could not be trusted, on motives of pure patriotism, not to attempt combinations with a view of seizing office for themselves. We are not called upon to decide the delicate question whether, in resorting to doubtful means to defeat this tendency, Walpole thought more of the danger to the country or of the danger to his own ascendency. In all probability, most successful politicians feel that the prosperity of the country is intimately bound up with their own retention in office. And this at least may be said, that Walpole had more excuse than most Ministers for such a thought. At any rate, it is not impossible, not even improbable, that a successful revolt in the Ministerial ranks would have given the Jacobites that opportunity for which, until the disastrous failure of the Young Pretender in 1745, they never ceased to watch. And so Walpole set himself, by an organised system of bribery, to beat down opposition within his

own party, and to secure a docile majority in the House of Commons. Perhaps if he had trusted his party a little more, if he had admitted a few of the aspiring young Whigs in the House to office, if he had been less jealous of his personal supremacy, he might have avoided his disastrous defeat in 1742; certainly he would have left politics in a more wholesome condition. But Walpole, with all his talents, was an opportunist. He was not trying to found a new system of Government; he was merely contending with the difficulties of the moment.

Nevertheless, as has been shown in a previous chapter, he did undoubtedly contribute a large share towards the establishment of a new system. The independence of the Cabinet in its relations with the Crown, the necessity for at least outward unity among Ministers, the dependence of the Cabinet on the good will of the House of Commons, the importance of finance as the centre of practical politics—all these features of the Cabinet system were clearly brought out during his tenure of office. The one unsatisfactory element in that system, as he left it, was the organisation of the House of Commons, which, instead of being clearly divided into two great parties, representing broad differences of principle, was now broken up into sections, each striving to snatch the sweets of office from the hands of its rivals, and only kept in hand by the use of doubtful means.

The natural result is to be seen in the long and unsatisfactory period of politics marked by the Peace of Aix-la-Chapelle and the capitulation of Klosterseven, by the practical dictatorship of Newcastle, and, just

as things appeared to be improving, by the stubborn and partly successful attempt of George II. to destroy the new system. Had not the Whigs, confident in their numerical superiority, and divided by personal jealousies, been accustomed to rely more on pocket-boroughs than on principles, many of the disasters which marked the latter years of George II. would have been avoided. Still more, had the Whigs been a united party, the brilliant Ministry of the elder Pitt would never have succumbed to the intrigues of Bute and Henry Fox. Finally, had the Tories, now returned to politics, been taught to regard the fall of the Whigs as the natural prelude to their own admission to office, it is hardly possible that they would, despite their loyalty to the throne, have cast themselves abjectly at the feet of the youthful monarch; nor would that monarch, but for the precedents of Walpole and Newcastle, have ventured upon a career of shameless corruption which far outstripped the moderate lapses of Walpole, and even exceeded the venalities of the Restoration.

But, though the immediate result of the reappearance of the Tory party was unfavourable to the new system, it ultimately proved to be the element necessary to its completion. For the true representatives of the new Tory party were, not the slavish recipients of bribes who followed North, but the men who crowded to Parliament, after the elections of 1784, to support the youthful Pitt. And it was he who, by his bold appeal to the constituencies against the verdict of a factious House, added the final principle to the new system, and established the great

doctrine, that the supreme arbitrament of politics belongs, neither to the Crown, nor to the Cabinet, nor to Parliament, but to the constituencies. It is this fact which, perhaps more than any other, explains the bitterness of the Coalition in 1784. The supporters of Fox and North, nursed in the evil traditions of Parliamentary corruption, regarded with dismay the prospect of a step which would destroy the supremacy of the House of Commons, and, as a natural consequence, render it less imperative for the Ministry of the day to conciliate the existing members. Hence, Pitt's action in 1784 was not merely a new development of the Cabinet System; it was really a powerful blow struck in the cause of Reform. The more evident it became that the constituencies were now a working force in politics, the more inevitable it became that the constituencies should be widened. It might, with some shadow of plausibility, be urged that, so long as the government of England was, avowedly, not popular, but Parliamentary, it was in accordance with the fitness of things that the House of Commons should be chosen by the privileged classes in the country. But, when the appeal to public opinion was admitted as a normal principle of government, it became absurd to urge that public opinion was fairly represented by the accidental anomalies of decayed boroughs, or even by the faggot votes of the counties. Thus the Reform Act itself, though it, doubtless, made great changes in the policy of the State, made little change in the machinery of the Cabinet System. For its principles had already been anticipated by the momentous precedent of 1784.

In concluding this brief summary of the evolution of the Cabinet System, it may be permissible to point out one fact, which can hardly have escaped the notice of the reader, but which will, nevertheless, bear mention. This is, the extraordinarily unconscious character of the whole process which has resulted in the establishment of the system. Each step has been the consequence, not of any matured scheme for the reform of the Constitution, but of the practical exigencies of a particular situation. It is not merely that the actual Law of the Constitution stands on no different footing from that occupied by any other part of our legal system, that there are no more stringent legal guarantees against infringement of the most cardinal principle of that Constitution than those which protect and enforce the least important rule of private law. That fact is striking enough ; and it is a serious stumbling block to those who approach the study of the Constitution from the outside. But the really vital fact is, that many of the most important rules which govern the practical working of our political system are not, in the strict sense, Law at all, but merely conventions which are observed, without legal compulsion, by those engaged in the administration of affairs. If we except the Act which limits the duration of Parliament to seven years, and the various Place Acts, which exclude officials of the Crown from the House of Commons, it is hard to recall any single principle of the Cabinet system which is embodied, even indirectly, in an Act of Parliament. A student of tireless industry might wade through the long series of volumes in which our statute law is con-

tained, without gleaning the most distant hint of its existence.

Nor is it recognised by that important part of our legal system which depends for its validity upon the decisions of the Law Courts. A lawyer who had all these decisions at his fingers' ends might be in complete ignorance of its most important features. It has been mentioned that Blackstone, the classical exponent of English law at the end of the eighteenth century, passes it over in complete silence. And though, as has also been suggested, Blackstone may have had special reasons for his attitude, no such suggestion can apply to acute foreign critics, such as Montesquieu and Delolme, who studied the working of government in England in the second and third quarters of the eighteenth century. And yet Montesquieu finds the secret of the British Constitution in the fact, that the legislative and the executive authorities are lodged in absolutely independent hands; while Delolme announces, with an air of profound wisdom, that the immediate cause of English liberty is "the having placed all the Executive authority in the State out of the hands of those in whom the people trust." But perhaps the most striking testimony to the impalpable qualities of the system is to be found in the fact that, so late as the middle of the nineteenth century, when the statesmen of the great colonies of Australia—men of exceptional ability, steeped in English traditions—tried to reproduce it in their own Constitution Statutes, they were baffled and ultimately beaten by the difficulties

of the task. It was their unanimous wish to make the Cabinet System the express law of their colonies. They found it impossible to do so, and had to be content with the humbler task of striving to avoid inserting, in the written law, any provisions which might actually conflict with the working of that elusive and impalpable scheme which they were fully determined to introduce. It is possible to go even a step further, and to doubt whether the Cabinet system is capable of being described, in a complete and thorough way, even in a treatise which does not suffer from the limitations of an Act of Parliament. At any rate, there does not appear to be any such complete exposition in existence. Burke's famous pamphlet is a defence rather than a description; Macaulay's eloquent work is a history of the early stages of a process which was but just beginning at the time at which his work ends; Bagehot's masterly essays are suggestive and inspiring sketches rather than a complete picture. Perhaps Mr. Leonard Courtney's recent book, *The Working Constitution of the United Kingdom*, is the most thorough and systematic attempt to depict the system in its entirety; but it is too soon yet to say whether his work will be accepted as a classic.[1] For the real truth seems to be, that the Cabinet system is rather a means of disguising the machinery of government, than the machinery of government itself. It is politics in solution.

[1] The writer ventures to suggest, with all the deference due to an author of Mr. Courtney's great political experience, that the House of Commons plays too large a part, and the Cabinet too small a part, in his picture.

II.

If, however, abandoning the almost hopeless effort to dogmatise about the structure of the Cabinet System, we turn to consider a few of the important results which its introduction has produced, we are not met by any insuperable difficulty.

In the first place we may say, without much fear of contradiction, that one most striking result has been, the increase in the popularity and prestige of the Crown. The English character is a curious compound of deference and criticism. It clings with desperate tenacity to institutions which, in appearance at least, have ceased to have any practical force. But it is as far as possible from accepting meekly the guidance of actual authority. In other words, it does not speculate about the ideal fitness of institutions which cause it no practical inconvenience; but it is apt to question very sharply the title of people who interfere with its wishes, as all actual rulers of the people must inevitably do. There is a happy story of a native Minister in an Oriental state which was very much under the "influence" of an European Power. The question was as to the appointment of a subordinate official. The native Minister wished to appoint A——; the European Power was determined that B—— should be appointed. The representative of European influence, anxious to soften the harshness of the situation, endeavoured to persuade the native Minister that B—— was really the better man for the post—to make B——'s appointment, in fact, the

ostensible act of the native Minister. But he found his opponent inflexible. Upon an abstract question of that kind no concession was possible; and the argument threatened to become endless. At last the representative of European influence was obliged to hint, that his Government was determined to have its own way. Whereupon, with true Oriental phlegm, the defeated Minister remarked,—"If it is an order, I have nothing more to say." The practical result of the struggle seemed to him of no importance compared with the abstract merits of the case. That is just the precise opposite of the English attitude in politics. Charles I. lost his head, not because he was a bad man, but because he would interfere with the working of politics in a way which annoyed the average Englishman. Charles II., whose notion of the prerogative was probably quite as high as that of his father, and whose character was infinitely worse, was usually popular with the nation, because he did not actively thwart its wishes. James II. might have professed Catholicism to the end of his life, if he had not insisted on disturbing vested interests. George I. and George II., despite the want of attractiveness in their persons and characters, and despite the disadvantage of their foreign birth, were not seriously unpopular, because, and mainly because, they had the good sense to abstain from the active conduct of internal politics. George III., despite the comparative advantages of his birth and education, and the enthusiasm with which his accession was welcomed, soon lost his popularity, because he became involved in the turmoil of practical politics. He

regained it when age and disease had compelled him to withdraw from the real conduct of affairs. It would have been useless for an English republican of the year 1810 to point out to an audience of average Englishmen, that the ostensible conduct of affairs of State was in the hands of a man suffering from senile decay. They would have said—"Poor old man! But he does what his Ministers tell him." George IV. came near to losing his crown by his action with respect to the Queen; in other words, by following his own personal views. But he became quite popular, despite his worthless character, when he placed himself in the hands of his advisers. There can be little doubt that William IV., notwithstanding his earlier liberal sympathies, would have blocked the passage of the Reform Bill if he had dared; but he bowed before the advice of his Ministers, and saved his popularity, perhaps his throne. It is now known that the perfect attitude of Queen Victoria on political questions was not reached without an inward struggle, of which the famous "Bedchamber Question" was the only evidence which the public of the day was permitted to see. But the results of the victory became every year more apparent in the increasing popularity of the Crown, till they culminated in a position so enviable, so unique, that it seemed almost beyond the possibilities of humanity. Strange political suggestions are continually mooted, but it is surely permissible to wonder whether any more rash proposal has ever been made than that which occasionally crops up, to the effect that the monarch

should take a more direct—that is, a more avowed —share in British politics. To realise the full meaning of this proposal, we have only to think of what would have been the result if Queen Victoria had been believed to be personally responsible for the prosecution of Mr. Bradlaugh, or for the introduction of the Home Rule Bill, in the sense in which George III. was known to be personally responsible for the prosecution of Wilkes, and for the introduction of the American Stamp Act. It has been before remarked, that there has now ceased to be a party in the State specially devoted to the defence of the royal prerogative. But that is simply because there has long ceased to be any party which desires to limit the prerogative. It is absurd to defend that which nobody dreams of attacking. In the year 1780 Dunning carried, in the House of Commons, a motion to the effect that "the power of the Crown has increased, is increasing, and ought to be diminished." Such a motion, in such a place, would not only have now no chance of success; it would be absurd and meaningless. It would be as if a man called upon the public to observe, that the way in which he conducted his own business was wrong.

It is hardly possible to exaggerate the importance of this result of the Cabinet System. For if it is a good thing that the Crown should be popular in Great Britain, it is absolutely essential, if the unity of the Empire is to be preserved, that the Crown should be popular in the Greater Britain beyond the seas. The Englishman whose sentiments and tradi-

tions are coloured by the memories of struggles in which the Parliament at Westminster has played a leading part, is apt to forget that those memories and associations appeal but faintly to the millions of his fellow-subjects in Asia, Africa, America, and Australasia. A personal acquaintance with the trend of colonial thought is apt to startle the home-bred islander. He finds that the sovereignty of that Parliament which he has been accustomed to look upon with veneration, as the parent of his liberties, is regarded with much less enthusiasm by the citizen of Melbourne or Quebec. The latter is, in fact, inclined to treat the sovereignty of the British Parliament as an ingenious device for imposing the prejudices of the mother country upon her children, rather than as a bulwark of his liberties. For the realisation of his own strong ideals he looks, not to the Parliament at Westminster, but to his own Parliament; and he is apt to resent very strongly any claim of superiority on behalf of the older institution. And it is difficult to allege that his criticism is unfounded. The average level of political intelligence is at least as high in Australia and in Canada as it is in the United Kingdom; while, in the knowledge of local facts, the Colonial Parliament has an unquestioned advantage. But no such divided allegiance distracts the reverence of the same man for the Crown. There is but one King in all the British Empire; there are many Parliaments. King Edward is *his* King; in a sense in which the British Parliament is not his Parliament. Every act of State, down to the delivery of a half-penny post-card, is done, in his colony, no less than in

Great Britain, in the name of the Crown, or, at least, in the name of a Governor who is, avowedly, the servant of the Crown. His Ministers are the Ministers of the Crown ; and, as such, entitled to act without reference to the Parliament at Westminster. If you point out to him that a statute of the Imperial Parliament could, according to legal theory, reverse the most cherished doctrine of his political faith—for example, introduce Free Trade in the place of Protection—he will warn you grimly, that it is dangerous to talk in that way, if you value the unity of the Empire. So far as institutions are a bond, it is, in fact, the popularity of the Crown, and not the popularity of the British Parliament, which holds the Empire together ; and it is the legal position of the Crown, as the supreme organ of political activity, which enables the Empire to speak with a single voice. Doubtless the sentiment of brotherhood is the life-blood of the political organism. But an organism, to be successful in the struggle for existence, needs a head as well as a heart.[1]

It is natural, at this point, to meet an objection which is sometimes levelled, by the critics of the Cabinet System, at the present position of the Crown. What, say these critics, is the use of exalting the dignity of the monarch, if you deprive him of real

[1] An extreme hypothesis may be put as a test of the view expressed above, regarding the relative importance of Crown and Parliament in imperial affairs. Suppose that an unforeseen series of calamities were to render it necessary for the nation to provide against a failure of succession to the throne. Would the choice again be left to the unfettered discretion of the two Houses of the British Parliament, as it was in 1688, or in 1700?

power? To which it might very well be answered, that the mere fact that the Crown is the symbol of unity, is of priceless value to the stability of the political structure. No sane student of politics doubts the influence of sentiment in the affairs of State; and, when a widespread sentiment makes for unity and reverence, it is almost impossible to overrate its importance. But there is no need to resort to this plea in abatement. We should rather challenge the objectors to prove their assertion, that the Cabinet System deprives the monarch of real power. No doubt it deprives him of *ostensible* power; but that is a very different thing. It is, of course, difficult for any one who has never taken part in the inner working of practical politics, to speak with any degree of confidence about such a delicate mystery as the secret relations between Crown and Cabinet. But from time to time facts leak out which seem to show, that the occupant of the British throne is very far from being that mere figure-head which superficial writers and speakers have imagined. Much probably depends, as it surely should do, on the personal character and experience of the monarch. It would hardly, for example, be hazardous to guess that, at least during the latter half of her illustrious reign, the influence of Queen Victoria upon practical politics was very great. Nor is there anything in the theory of the Cabinet System which makes such an influence in the slightest degree unconstitutional. The virtue of the Cabinet System is, that, while it gives the nation the full benefit of the wisdom of a great and good monarch, it limits the power for harm

of a bad or incapable monarch. And, inasmuch as, with an hereditary monarchy, there cannot possibly be any guarantee that the actual occupant of the throne will be either great or good, this feature of the Cabinet System must be regarded as one of its chiefest virtues. For, while it is not possible, if the rule of heredity is strictly observed, to guarantee a succession of great monarchs, it is possible, by careful training, to be reasonably secure, that the heir to the throne shall be brought up to realise and perform the not very difficult duties which his future position will imperatively require of him. In other words, the Cabinet System demands little of a monarch who has little to give ; while it is capable of receiving much from a monarch who has much to bestow. And if it does, to some extent, conceal the merits of a really great ruler, it acts as a merciful screen to the follies or the weaknesses of a bad one. It is, just precisely on this account, the most suitable complement of an hereditary monarchy, in which the personal character of the monarch is largely a matter of accident.

A second and equally striking result of the introduction of the Cabinet System, is the unity which it has given, not only to the different parts of the Empire, but to the political organs of the mother country itself. It was just precisely this point which was missed by Montesquieu and Delolme, and which was brought out by Bagehot, with his usual felicity, in his famous comparison of the Cabinet to a hyphen, which links together Crown and Parliament. The dangers of a divided authority had been seen in a lurid light in the evils of the Civil War—a war which

was really inevitable, because by the old Constitution neither the Crown nor the Parliament was supreme, and because each was unwilling to admit the superiority of the other. Similar difficulties have occurred in the ancient world, as in the case of the Roman Republic; in the Middle Ages, as in the Republic of Venice and the Holy Roman Empire; and in modern times, as in the history of the United States of America. After the Restoration, the government of England was, for more than half a century, in a condition of unstable equilibrium. Two changes of dynasty did not solve the difficulty. James II. and his Parliaments could not agree; William of Orange more than once threatened to return to Holland; and George I. uttered similar threats. But never, since the days of George I., has there been a quarrel between Parliament and the Crown, save for the few brief months at the beginning of 1784; and on that occasion the new system soon found a complete remedy. Even the boasted independence of the Law Courts is not proof against the unifying influence of the Cabinet; for any quarrel between them and the other organs of State can be promptly extinguished by legislation introduced by the Government of the day, as was proved by the result of the Hansard libel case in 1840.[1] It is not, however, only between the great branches of State authority that quarrels may occur.

[1] The Court of Queen's Bench held Messrs. Hansard, the Parliamentary printers, responsible for libellous statements contained in a report published by order of the House of Commons. An Act was passed providing that such publications should, for the future, be privileged from liability.

It has already been pointed out, that one of the real possibilities of the Revolution was the establishment of a dominating bureaucracy ; and, if that had resulted, the opportunities of friction between rival offices would have been endless. Even now, with the present very moderate system of official machinery, it is occasionally whispered that there are differences of opinion between departments of the permanent services. But the great influence of the Cabinet is brought to bear upon any such germs of dissension before they have time to develope into serious dangers. For the members of the Cabinet care very little about details of administration, and are not likely to champion very ardently the quarrels of their subordinates ; while they care a great deal that the wheels of the State machinery should appear to run smoothly, for any obstruction or disorder would discredit their reputation.

But the unifying influence of the Cabinet is not confined to composing quarrels between the different organs of State. It really wields, at least in secular affairs, that immense and comprehensive force which lawyers call the Sovereignty of the State, because (with the important reservation to be hereafter mentioned) it can make that force, which has no legal limits, take any direction which it pleases. If it cannot do so, it ceases to be a Cabinet, and has to resign. Of course its power, like all human power, is limited by human possibilities ; but there are no other limitations. And, be it observed, the Cabinet acts without formality, without publicity, without fixed rules of procedure. A few gentlemen meet together

occasionally in a room in Downing Street, and decide the fate of that immense and complicated organism known as the British Empire, with its hundreds of millions of inhabitants. No doubt some of its decisions require the sanction of subsequent Acts of Parliament; but if the Cabinet really represents, as it is supposed to do, the majority in Parliament, those Acts follow as a matter of course. No doubt its policy may be thwarted by appeals to the Law Courts; but, if necessary, the Law Courts also can be brought into harmony by Acts of Parliament. In theory also, and perhaps (if the crisis were urgent enough) in fact, by the same means the Cabinet could overrule the opposition of the Church—for example, if it resolved that a portion of the annual sum payable for tithes in England should be appropriated to the needs of the State. No doubt the Cabinet acts at its peril; its authority is moral only, not physical. But the great merit of the Cabinet is that, in a moment of supreme national crisis, it could, if its members had sufficient nerve, call into active exercise the whole of the vast slumbering energies of the Empire—could, for example, levy five million men, and impose an income tax of fifteen shillings in the pound throughout the dominions of the Crown. It could do this, and do it with extraordinary swiftness, if—and only if—it had the united opinion of the Empire behind it; for, whilst its power to give effect to public opinion is immense, its power to thwart public opinion is comparatively small. This is perhaps the highest praise that can be awarded, by those who believe in the *vox populi*, to any organ of

Government; and it is perhaps to the Cabinet System, as much as to the sovereign power of Parliament, that we owe what Mr. Bryce has so happily termed the "flexibility" of our Constitution.

To this striking feature of the Cabinet System there is but one serious qualification. This is, it need hardly be said, the position of the House of Lords. The apologists of that venerable body, anxious to find a justification for its existence, have imagined for it a serene impartiality which greatly moderates the strife of contending parties, and preserves the nation from the ill-effects of hasty legislation. It has a right, they say, to correct the judgment of the House of Commons by the judgment of the constituencies. Such a position is not without its value; certainly condemnation of the House of Lords is not condemnation of the bicameral system. But every one knows that the House of Lords is not an impartial body; it is notoriously partisan, and has been for a century past. Practically speaking, it never suspends the judgment of the House of Commons when a Tory government is in power. It risked a revolution in 1832, and threatened to do so again in 1884, because the Reform Bills of those years were introduced by Liberal Cabinets. But it swallowed the Reform Bill of 1867 with scarcely a murmur, because it was introduced by a Tory Ministry. In short, the House of Lords is useless as a Court of Appeal; for it is always known beforehand what its judgment will be.

The unsatisfactory character of the House of Lords has been long admitted, by all but those

extreme partisans, who believe that the Tory party is invariably right, and its opponents invariably wrong. And suggestions have from time to time been made, with a view of bringing the Upper House into harmony with the principles upon which Cabinet government is based. One of these is the adoption of the rule, that if, upon a dissolution provoked by the refusal of the House of Lords to carry a measure passed by the Commons, the elections should confirm the judgment of the Lower House, the Lords should then give way. It is no objection to this suggestion, that it proposes to depend upon a rule of custom rather than a rule of law. Many of the essential rules of our Constitution are, as we have seen, similarly circumstanced. But it is a strong objection, that the liberty thus by implication allowed to the House of Lords might cause disastrous delay in the working of politics, and nullify what, as we have urged, is one of the chief virtues of the Cabinet System. It is not impossible to imagine a crisis in which the clear judgment of the Cabinet, backed by the overwhelming majority of the House of Commons, was in favour of a particular course. Let us suppose, for example, a situation so grave that, in the judgment of the Cabinet, it could only be met by the immediate grant of self-government to a colony which had not hitherto enjoyed it, or the immediate withdrawal of self-government from a colony to which it had previously been granted. Such a step would necessitate the passing of an Act of Parliament. The delay caused by an appeal to the constituencies might rob the measure of its entire merit

as the solution of a critical situation. And yet, according to this doctrine, the House of Lords would be well within its province in demanding such an appeal. The House of Lords might conceivably, in such a case, be right. But it is entirely at variance with the spirit of the Cabinet System, that the House of Lords should be the final arbiter in such a matter. It would seem that the older remedy for the difficulty, a remedy which was actually practised on a small scale in 1712, and which was threatened in 1832, is far more efficacious and less dangerous. In such a crisis, the power of creating new peers ought to be used freely and promptly. In all probability the mere threat would be enough, as it was in 1832. But, even if it were not, there would seem to be little harm in carrying it into execution. A numerous House of Lords is no more dangerous, politically, than a small House of Lords. The only harm involved would be to the exclusive privileges of the existing peers; and for this they would have themselves to thank. Vested interests cannot be allowed to stand in the way of national safety.

A third very marked accompaniment, if not a result, of the Cabinet System, is the spirit of leniency which has come over politics in the last century and a half. Under the old system, the monarch, very naturally, resented any criticism upon his Ministers as a personal attack upon himself. This fact at once rendered the whole situation tragic. The Opposition (if we may be guilty of a slight anachronism) hesitated to apply temperate criticism, when they knew that it might bring down upon them the personal

resentment of the Crown, and when they felt that they had no means of making their criticism effective. It is the great honour of Elizabeth that, at least on some occasions, she rose superior to natural tendencies. But her successors were less wise. As a consequence, the Minister and his critics fought with buttonless foils. If the Minister was successful, his opponents went to prison or the pillory. If the Opposition won, the Minister went to the block, or saved himself by flight. Buckingham, it is true, anticipated his fate, by falling a victim to the dagger of Felton. But Strafford and Laud paid for the failure of their policy with their heads; Danby and Oxford were imprisoned in the Tower and had to stand trial for their lives; while Finch, Windebank, Clarendon, Sunderland, and Bolingbroke, sought safety in flight. Walpole, in this, as in so many other matters, was the first of a new order. When he fell in 1742, his enemies, following established precedent, talked loudly of impeachment. But it soon occurred to them that it was idle to slay a dead foe. What they wanted were his offices and power; and those they had secured. Why insist on the blood of a man who no longer stood in their way? And thus began that reign of tolerance in politics which permits the warmest friendship between men who thunder nightly at one another across the floor of the House of Commons, and which finds its extreme expression in the practice of conferring titles and dignities upon men who have just been declared, by the solemn voice of the representatives of the nation, to be unworthy of the confidence of the Crown. It is, of

course, an obvious criticism on this striking change, that leniency towards political errors may lead to carelessness on the one side and to captious criticism on the other. But there are better safeguards against neglect of duty than the fear of cruel punishment. A Minister now knows that one defeat does not mean an end to his career. If his conduct has really been justifiable, he will have future opportunities of justifying it. If he is too old to look for a return to office, he will have younger colleagues who will do their best to prevent him discrediting them. A member of the Opposition knows, too, if he is a wise man, that nothing so surely tends to exclude him from the prospects of office, as captious and groundless criticism, even of his opponents. After all, there is a great difference between an error of judgment and a crime; and the fact that the one is no longer punished as the other, makes it all the more easy to apply to the error of judgment the penalty really suitable to the case.

Finally, it is one of the most important questions that can be asked of any system of government—what sort of men and what sort of measures does it bring to the service of the country? For it matters little that a Constitution is the most perfect piece of political machinery that philosophy can devise, if it is, *de facto*, in the hands of incapable or inferior agents, and does, *de facto*, produce bad measures. This is evidently not a question that can be answered offhand. We must proceed by cautious observation.

The chief State officials under the old system fell, roughly, into one of two classes. Either they were

great noblemen, whose support was essential to the safety of the Government, or they were men whom the Crown had raised from humble positions, because of their industry, their capacity, their suppleness, and their devotion to its interests. In the Middle Ages a Privy Council was, as a rule, about equally divided between these two classes. When a strong king was on the throne, the latter showed a tendency to predominate, because the Crown felt itself able to do without the support of magnates whose independence was a standing source of irritation. But when, as in the days of Richard II. and Henry VI., the monarch was weak, the Council Chamber was filled with great nobles—men like John of Gaunt, Gloucester, Warwick, Arundel, Bedford, York, and Somerset—whose quarrels continually disturbed the peace of the realm. It was, however, the special good fortune of England that a third class of Ministers, men chosen simply for their social charm, though well known on the Continent, never made good their position here. As soon as they appeared, they were ruthlessly swept aside by the sterner elements in politics.

The accession of the Tudor dynasty marked a decided leaning towards the second class of Crown officials. The aristocratic names disappear from the records of the State, and are replaced by those of men like Dudley, Wolsey, Thomas Cromwell, Cecil, Walsingham, and Thomas Smith, some of whom founded great families, but who were very humble persons when first admitted to the royal favour. That the change was fully realised, at least by some people, is proved by the language of the rebels in the

Pilgrimage of Grace in 1536. One of the claims of the discontented faction was "the taking away of the base blood from the Council." In spite of a dangerous leaning towards personal favourites,[1] the Stuarts followed, on the whole, the example of the Tudors; and it is again one of the thoughts which so constantly compel us to regard the Civil War as a great turning-point in history, that if Charles could only have been brought to accept Eliot or Pym as his Minister, the Civil War need never have been fought. But it was too soon yet to argue that successful Parliamentary Opposition gave a claim to office. Strafford preferred to be a Minister of the old type and lost his head in consequence.

We have seen, already, how it was that the Minister whose chief qualification was devotion to the personal interests of the Crown, was gradually replaced by the type of Minister who owes his position mainly to other influences; and there is no need to tell the story again. The question rather is—what sort of Minister have these new influences produced?

It is great testimony to the power of Burke's penetration, that, more than a century and a quarter after his famous pamphlet was written, we are still compelled to admit that there can hardly be any better definition of the sources of political power than those which he gives. A politician who succeeds in reaching high office generally owes his success to one of two causes, connection or popularity, or, it may be, to a

[1] The Duke of Buckingham, who was assassinated in 1628, is perhaps the most glaring, because the most successful, example of the royal "favourite" in English politics.

combination of both. These two sources, so different in their character, faithfully reflect that dual spirit in British institutions, which is at once so puzzling and so attractive to competent foreign observers. On the one hand, it would be possible to argue with great force that no system of government in the world, not even that of the Swiss Republic, is so democratic as the British. On the other, it is easy to point out, by reference to numerous examples, that intensely conservative and exclusive element in our system which has preserved, even under modern conditions, an almost unbroken current of political tradition for upwards of two hundred years. The introduction of the Cabinet System did not create these elements; but it altered the conditions under which they worked. And it is in that respect that its interest, for our immediate purpose, lies.

In old days an aristocracy which felt itself slighted indulged in dangerous intrigues and plots. A people which felt itself plundered and oppressed broke out into insurrection or obstruction. Under present conditions, if the privileged classes feel that things are, from their point of view, going badly, a few of the more influential and able among them pass the word along that electric current which vibrates so powerfully throughout a highly organised society. The aristocratic institutions of the country, the peerage, the Church, the older universities, the great public schools, the army, the bar, the wealthy clubs, become, almost unconsciously, centres of propagandism. Bargains are made, half unconsciously, to secure their support. The enormous social influence at their

disposal is used for spreading among the lower ranks in the social hierarchy doctrines which inculcate respect for the ancient order. Harshness towards inferiors is tacitly forbidden, as likely to produce unpopularity. Dallying with dangerous ideas, sometimes a favourite relaxation with aristocrats, is sternly discouraged, and labelled as bad form. On the other hand, orthodox brilliancy, if it shows itself in the ranks of the upper classes, is loudly applauded ; for a reputation for intellect, though it perhaps counts for less in the British Empire than anywhere else in the world, has its value.. Systematic efforts are made to win over powerful opponents from the opposite camp. Literature and science are pressed into the cause. Sometimes accidental circumstances, such as a long run of commercial prosperity or a great war, are powerful adjuncts ; for men who are making fortunes rapidly are unlikely to attack privileges which they hope soon to share, and in a great war the undoubted virtues of a good aristocracy come out well, if some of its defects are likewise somewhat conspicuous. Gradually the vane of public opinion swings round. Then it is that the wonderful flexibility of the Cabinet System appears. That system requires, in effect, that every Minister shall be a member of one or other House of Parliament ; and it was at one time thought, that the Reform Acts of the nineteenth century had put an end to the influence of the privileged classes in the constituencies. They have merely altered its methods. A great political chief cannot now bargain with one of his aristocratic followers for a seat in the Cabinet in exchange for

half a dozen boroughs. If he wishes to secure the return of one of his friends, he must make speeches, despatch telegrams, open bazaars, preside at local festivities, send down smart people to canvass, and otherwise make use of the party organisation. If all this fail, he can fall back on the House of Lords to supply him with colleagues. The great difficulty in such a scheme lies in finding people willing to play the somewhat ungrateful part of making a majority in the House of Commons, for the sake of keeping an aristocratic connection in power. For this part the natural and proper players are, of course, the younger scions of the great houses whose heads occupy the great offices; for they may look forward, in the natural order of things, to succeeding in due course to the same offices. But these persons are often somewhat unwilling to desert the pleasant pastures and flowery lanes of leisured life, for the dusty high-road of political drudgery. And so, no doubt, those whose power, in the words of Burke, "arises from connection," must often have cause to bless that element in human nature, which leads men to think themselves well paid for hard and monotonous work, and much sacrifice of time and money, by a somewhat grudging dole of social and honorary distinctions.

The methods adopted by those who seek power mainly through the influence of popularity, and who rely on the democratic element in the Constitution, must naturally be very different in detail. With them the first necessity is a grievance which can be appreciated by the mass of the electors. Unhappily

the choice is, as a rule, only too extensive; for, wherever sorrow and suffering exist, there are materials for grievances. Men usually believe (and surely it is a good thing that they do so believe) that sorrow and suffering are not inevitable accompaniments of life, but the results of mismanagement or oppression of some kind or another. Such pessimism as exists in the British character, generally takes the form of believing that the wrongdoer is too powerful to be overcome, rather than that deeper form which believes that wrongdoing is inevitable in the order of Nature. And so the Englishman can often be persuaded that there is a chance of bettering his position; and, with his interest in politics, he is not unwilling to believe that the remedy lies in a change of administration or in legislative reform. There are always in existence a great number of organisations, each formed for the purpose of attacking a particular grievance. When the political atmosphere is unfavourable, these societies languish, or are maintained only by great effort on the part of determined men. But a long-continued depression in trade, the occurrence of some startling event in foreign politics, the appearance of a skilfully written book or an agitator of unusual power, quickens them into activity. The men engaged in the practical work of politics—Members of Parliament, editors of newspapers, managers and committees of party organisations—select one or more of them for adoption into a programme. If the choice is judiciously made, the increased prominence thus given to the selected objects brings them before the attention of the

public. A regular campaign is organised, conviction spreads by contagion, the prospect of achieving a definite result inspires energy in multitudes who care little for abstract questions, but are keenly alive to the excitement of an active agitation. Definite proposals are formulated, and these soon become, by the mere force of repetition, political dogmas, which, if successful, carry their champions into the House of Commons and finally into office, and are embodied in legislation or administration.

This rapid sketch of the normal process of English political organisation reveals both the comprehensiveness and the limits of the Cabinet System. Briefly put, it is a system of government by persuasion ; and there is room in it for all men who can persuade, and for all measures which can be carried by persuasion. One of the most curious mistakes ever made by a keen observer, was Carlyle's theory, that the nation was really governed by the oratory of the House of Commons. Even in Carlyle's time the House of Commons—that is to say, the public debates in the House of Commons—had become very unreal ; and it is now almost a truism that votes are rarely, if ever, turned by a speech in the House. Even the great speeches in the constituencies are much more like parades than genuine fighting. The real work of government, at any rate the large questions of policy, are done and decided in committee rooms, in personal canvass, in the columns of the press, and in the Cabinet—that is to say, by informal discussion and persuasion.

Doubtless this fact makes, in one sense, for com-

prehension and toleration. The value of persuasiveness is so great, that no party can venture to neglect a man or a cause which can reach the popular ear. Occasionally the leaders of a party indulge their personal predilections by boycotting an influential man whom they happen, on social, or religious, or any other irrelevant ground, to dislike, or by refusing to take up a cause to which, on similar grounds, they object. But the process is so dangerous that it is not often pursued ; and it is fairly safe to say, that the Cabinet System has brought scores of men into high office who, under the old system, would have had no chance of admission to the sacred precincts of power, and given life to causes, not all of them very wise, of which the old system would have taken no account. And it is to be observed, that it is strictly in those parts of the Constitution which are immediately under the control of the Cabinet System that this is most true. The other parts, such as the higher ranks of the permanent civil service, the diplomatic service, the army and navy, are still largely an aristocratic preserve, just because they are, and with good reason, excluded from the direct operation of the Cabinet System.

On the other hand, it cannot be denied that, to a certain type of politician and a certain kind of political measure, the Cabinet System is distinctly unfavourable. The man of great force of character, tenaciously bent on carrying out a distant object of supreme importance, finds no ostensible place in it ; for such a man has rarely the arts necessary to succeed in a system of government by persuasion.

Even if he is born to the prospect of a peerage, and is marked out by social position and wealth for respectful treatment, he finds it difficult to get a hearing from those who should be his colleagues and subordinates; for they are so busy in organising their party, and looking after their majority, that they have little time for thinking of the future. If he has to struggle from obscurity through the House of Commons, the best years of his life are occupied in impressing himself upon the House and gathering followers about him. And so the typical Minister in the Cabinet System is rarely more than an honest opportunist, who tries to do what he can to remedy very pressing evils, without endangering his popularity with his party, or leaving himself open to damaging criticism by his opponents. It is hard to imagine a statesman of the type of Bismarck or Cavour, with a plan for the unification of Germany or Italy, being produced by the Cabinet System, or at any rate a statesman who carried out his plan so completely and so rapidly. It is not a little significant to reflect, that the most striking and systematic achievement of British statesmanship in the last half-century, the federation of the Australian colonies, was achieved by the temporary abandonment of the Cabinet System.

Whether, in conclusion, this apparent defect of the system is a real defect, is a question too deep to be discussed here. It belongs rather to the abstract problems of political science than to the practical questions of British politics. It will occur to every one that, in excluding from office a statesman of the

masterful type, such as Bismarck or Pobiedonostsev, or of the Macchiavellian type, such as Metternich, Talleyrand, or Cavour, the Cabinet System is but faithfully reflecting the British character, which loves neither to be driven nor puzzled. It is ill having great statesmen and great plans at the risk of revolution. The cry of "efficiency," which is so often raised when the occurrence of some public disaster reveals a weakness of political machinery, expresses a feeling with which every lover of his country will sympathise. But it is too apt to pass into a vague yearning for that high-handed Cæsarism which, as history warns us, is inconsistent with the character of a people long accustomed to the tolerant, if somewhat negligent ways, of self-government. The one thoroughly "efficient" administration which has ruled England in the last three hundred years was the Protectorate administration of Cromwell. And this, in spite of the magnificence of its triumphs abroad, and its uprightness and economy at home, provoked a resentment so deep as to render even moderately honest government well-nigh impossible for a quarter of a century.

But there is one other point. What if the growth of the Cabinet System is, after all, but another instance of that specialisation of functions which we are wont to detect in watching the development of political institutions? In the old system, the men at the head of affairs had to find the ideas as well as to apply them. Their successors, in the new, find themselves, more and more, the mere exponents and enforcers of ideas which are furnished to them from

without. In political language, we say that "their choice of measures is dictated by the feeling of the country." But who makes the feeling of the country? It does not follow that great ideas are lost because those who conceive them are not seated in offices in Downing Street. Perhaps they are none the less likely to take root on that account. More than once it has been, that the word of a wandering missionary, or the pen of a lonely thinker, has shaped the course of the world's history. Even the Cabinet System itself has hints of such a truth. It often happens, in great State pageants in England, that, among the blaze of robes and uniforms, orders and emblems, coronets and weapons, the really important figures are those of a few modest-looking gentlemen in garb so simple as to seem almost out of place in such a scene. And yet they are the real centre round which all this splendid mass of ceremony revolves. What if they, too, move obedient to the thoughts and hopes inspired in them and their fellow-countrymen by still humbler figures, to whom it is sometimes given to catch a glimpse of those truths which lie hid in secret places.



LEADING DATES IN THE HISTORY OF THE CABINET SYSTEM

(1660–1832)

1663. Last grant of a subsidy by Convocation.
1665. Establishment of principle of special votes of money by the House of Commons.
1666. Appointment by Parliament of Committee to inspect accounts of officials.
1667. The "Cabal" Ministry.
1669. Dismissal of Sir George Carteret on report of Committee of Public Accounts.
1672. Stop of the Exchequer.
1679. Impeachment of Danby (Responsibility of Ministers).
1688–9. The Revolution and the Bill of Rights.
1689. The first annual Mutiny Act.
1694. Foundation of the Bank of England. Beginning of the National Debt. The Triennial Act (Parliament not to sit for more than three years, nor to be suspended for more than three years).
1697. The "Junto" Ministry.
1701. The Act of Settlement. Clauses III. (4) and (6).
1702. United Tory Ministry with a majority in the House of Commons.
1704. The Aylesbury election case.
1705–6. Whig Ministry with a Parliamentary majority.
1705. The Act of Security (requiring re-election of members accepting office, and excluding holders of new offices from the House of Commons).
1707. The Union with Scotland.

1710. Fall of the Whig Ministry; Tory majority at the elections.
1714. United Whig Ministry.
1716. The Septennial Act.
1717. Retirement of Townshend, Walpole, and Pulteney. Suspension of Convocation of Canterbury.
1719. Defeat of the Peerage Bill.
1721. Walpole becomes head of the Ministry.
1733. Walpole abandons the Excise Bill.
1742. Resignation of Walpole. Wilmington's Ministry (Whig secession). Place Act.
1744. Pelham becomes Chief Minister ("Broad Bottom" Administration).
1745. Sir Francis Dashwood's motion for Reform.
1746. Admission of Pitt (the elder) to office.
1754. Newcastle Chief Minister (on death of Pelham).
1756. Devonshire-Pitt Ministry.
1757. Unsuccessful attempt by the King to get rid of Pitt. Newcastle-Pitt Ministry.
1761. Resignation of Pitt. Bute in office.
1762. Bute Ministry. Attempt to introduce the "spoils" system.
1763. Resignation of Bute. Grenville Ministry. Coalition with the Bedford Section.
1763-6. Wilkes and "No. 45."
1765. Rockingham Ministry.
1766. Grafton-Pitt Ministry.
1768-1770. Wilkes and the Middlesex election.
1770. Lord North Chief Minister. Publication of Burke's *Thoughts on the Cause of the Present Discontents.* Grenville Election Act.
1771. Attempt to prevent publication of Parliamentary debates (unsuccessful).
1773. Regulating Act (India).
1780. Great Yorkshire petition. Dunning's motion on power of the Crown (carried).
1782. Resignation of North. (Second) Rockingham Ministry. Irish Government (Declaratory) Act. Civil List Reform Act. Contractors' Act. Death of Rockingham. Shelburne Ministry. Resignation of Fox and Burke.

1783. Defeat of Shelburne. Coalition Ministry of Fox and North. Defeat of Ministry in Lords on India Bill. Ministry dismissed by King. First Ministry of William Pitt (the younger).
1784. Successful appeal to the constituencies. Pitt's India Act.
1788–9. The Regency Question.
1792. Fox's Libel Act.
1800. The Union with Ireland.
1801. Resignation of Pitt on the Catholic Relief question. Addington Ministry.
1804. Second Ministry of Pitt.
1806. Death of Pitt. Ministry of "All the Talents."
1807. Portland Ministry. (Perceval, Canning, Castlereagh, &c.)
1809. Perceval Ministry.
1812. Liverpool Ministry.
1817. The "Sidmouth Circular."
1819. The "Six Acts." Appearance of "Radicals," "Liberals," "Conservatives."
1824. Repeal of Combination Laws (Act altered in 1825).
1827. Canning Ministry. Death of Canning. Goderich.
1828. Wellington Ministry (Peel).
1829. Catholic Relief Act.
1830. Grey Ministry.
1832. First Reform Act.



LIST OF SELECTED AUTHORITIES FOR THE PERIOD

(1660–1832)

1. *For the whole period.*

Cobbett.	*Parliamentary History of England*, continued, after 1803, as
Hansard.	*Parliamentary Debates.*
	Journals of the Houses of Lords and Commons respectively.
Campbell.	*Lives of the Lord Chancellors*, and *Lives of the Chief Justices.*
Macpherson.	*Annals of Commerce, Manufactures, &c.* (Earliest times to 1801).
	Statutes of the Realm. (The best edition, that of the Record Commission, only reaches 1713; but there are many editions of the later statutes.)
Cunningham, W.	*Growth of English Industry and Commerce* (Vol. II.).
Traill (ed.)	*Social England* (Vols. IV., V., and VI.).

2. *For the later Seventeenth Century.*

	The Harleian Miscellany. (Index by Walker.)
Green (Mrs. E.)	*State Papers of Charles II.*
Clarendon.	*Continuation of his Life.*
Burnet.	*History of His Own Time.*

Evelyn.	*Diary and Correspondence.*
Grammont.	*Memoirs of the Court of Charles II.*
North.	*Lives of the Norths.*
Pepys.	*Brief Historical Narrative.*

(Text-book)

Macaulay.	*History of England from the Accession of James II.*

3. *For the Eighteenth Century.*

Bolingbroke.	*Letters and Correspondence.*
Shrewsbury.	*Private and Original Correspondence of.*
Swift.	(Various writings: especially *Journal to Stella, On the Conduct of the Allies, History of the Last Four Years of Queen Anne.*)
Hervey.	*Memoirs of the Reign of George II.*
Walpole (Horace).	*Letters to Sir Horace Mann; Memoirs of the Reign of George II.; Memoirs of the Early Reign of George III.*
Jesse.	*George Selwyn and his Contemporaries* (Letters to Selwyn).
Chatham (Earl of).	*Correspondence.*
Smith.	*The Grenville Papers.*
Russell.	*The Bedford Correspondence.*
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