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ROYAL COMMISSION

THE

LONDON CITY LIVERIES COMPANIES VINDICATION

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ROYAL COMMISSION.

THE LONDON CITY LIVERY COMPANIES' VINDICATION.

The writer of this sincere, however imperfect, Vindication of the City of London Livery Companies from the foul charges made in so broadcast a manner through a band of men interested in their overthrow, desires to impress on his readers, be they many or few, that he is not a member of either of their ancient and deservedly revered fraternities, and that he has not any or the most distant connection with any such.

Personally his knowledge of Prime Wardens and Courts of City Liveries is on par with any participation in their entertainments. "He knows them not." The Ancient Guilds are none the less dear to his heart.

As an unobtrusive, humble dweller in the peaceful country, and removed from the troublous stream of public matters, he has no object to serve beyond aiding, if possible, the cause of truth and well-doing as against mendacity and wrong, and he prays that God may defend the right!

He would desire nothing better than that the "old ways" may be his to the end, and has been cheered in his labour of love by a strong and fervent conviction that the London City Liveries are worthy stewards and administrators of noble gifts, the which they well and truly guard.

Rightly estimating the modern Pharisee, who shows his voidance of any bowels of compassion and mercy through the abhorrent selfishly conceived doctrine that almsgiving creates pauperism, he prefers to hug the blessed words so comforting to the great heart of Edmund Burke, "Give "alms of thy goods, and never turn thy face from any poor man."

The enemy has declared that the jealousy existing between the Companies is so great as to render them powerless for defence.

He trusts that steel wythes of surpassing strength may gird an united phalanx faggot of resistance, and that the world may see that the enemy is none other than

"A fellow by the hand of nature mark'd, quoted and sign'd to do a deed of shame."
King John, act. ii. sc. 1.

January, 1885.

[Continuing the matter connected with the Livery Companies, the writer is preparing a companion volume, and which will shortly be ready, detailing the interesting histories and charters developed before the Royal Commission.]

THE ROYAL COMMISSION.

THE LONDON CITY LIVERY COMPANIES'

VINDICATION.

"The Enemy said, 'We will divide the spoil.'"

Exodus xv. 9.

"Their only crime was that they were rich, generous, hospitable, and charitable, and for this the malice of their enviers condemned them to die."

History of the Barmecides.

"Men, that make
Envy, and crooked malice, nourishment,
Dare bite the best. I do beseech your lordships,
That, in this case of justice, my accusers,
Be what they will, may stand forth face to face,
And freely urge against me."

Henry VIII., act v. sc. 2.

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Royal Commission.

VICTORIA R.

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith :

To Our right trusty and right well-beloved Cousin and Councillor, Edward Henry, Earl of Derby; Our right trusty and right entirely beloved Cousin, Francis Charles Hastings, Duke of Bedford; Our right trusty and well-beloved Cousin and Councillor, Robert, Viscount Sherbrooke; Our right trusty and well-beloved Councillor, John Duke, Baron Coleridge, Lord Chief Justice of the Common Pleas Division of Our High Court of Justice; Our right trusty and well-beloved Councillor, Sir Richard Assheton Cross, Knight Grand Cross of Our Most Honourable Order of the Bath; Our trusty and well-beloved Sir Nathaniel Mayer de Rothschild, Baronet; Our trusty and well-beloved Sir Sydney Hedley Waterlow, Baronet; Our trusty and well-beloved William James Richmond Cotton, Esquire; Our trusty and well-beloved Albert Pell, Esquire; Our trusty and well-beloved Walter Henry James, Esquire; Our trusty and well-beloved Joseph Firth Bottomley Firth, Esquire; and Our trusty and well-beloved Thomas Burt, Esquire, Greeting.

Whereas We have thought it expedient that inquiries should be made into the several matters herein-after mentioned.

Now know ye, that We, reposing great trust and confidence in your zeal, discretion, and ability, have authorized and appointed, and do by these Presents authorize and appoint you, the said Edward Henry, Earl of Derby; Francis Charles Hastings, Duke of Bedford; Robert Viscount Sherbrooke; John Duke, Baron Coleridge; Sir Richard Assheton Cross; Sir Nathaniel Mayer de Rothschild; Sir Sydney Hedley Waterlow; William James Richmond Cotton; Albert Pell; Walter Henry James; Joseph Firth Bottomley Firth; and Thomas Burt to be our Commissioners for the purposes of these Presents.

And We do hereby require and command you, or any three or more of you, to inquire into all the Companies to which these Presents apply, and into the circumstances and dates of their foundation, and the objects for which they were founded, and how far those objects are now being carried into effect, and into any Acts of Parliament, charters, trust deeds, decrees of Court, or other documents founding, regulating, or affecting the said Companies, or any of them.

And We do hereby require and command you, or any three or more of you, to inquire into and ascertain the constitution and powers of the governing bodies of the said Companies, and the mode of admission of freemen, livery, and other members of the said Companies, and the number of freemen, livery, or other persons constituting the said Companies, and the gains, privileges, or emoluments to which all or any of such persons are entitled by reason of their being members of such Companies.

And We do hereby require and command you, or any three or more of you, to inquire into and ascertain the officers and servants

of such Companies, and the salaries or other emoluments to which such officers and servants are entitled, and the mode of appointment of such officers and servants, and the duties which they perform.

And We do hereby require and command you, or any three or more of you, to inquire into and ascertain the property of, or held in trust for or by, such Companies, both real and personal, and where the same is situate, and of what it is composed, and the capital value of the several descriptions of such property, and the annual income of such property, and the mode in which the property is managed and the income is expended.

And We do hereby require and command you, or any three or more of you, to report to Us, under your hand and seal, what you shall find touching or concerning the premises upon such inquiry as aforesaid, and also to consider and report what measures (if any) are, in the judgment of you, or any three or more of you, expedient and necessary for improving or altering the constitution of such Companies, or the appropriation or administration of the property or revenues thereof.

And We do hereby empower you to make separate reports in relation to any matter concerning the premises at such time and in such manner as you, or any three or more of you, may think expedient.

And We do hereby declare that the Companies to which these Presents apply, are all the Companies named in the Second Report of the Commissioners appointed to inquire into Municipal Corporations in England and Wales.

And for the better enabling you to form a sound judgment on the premises, We do hereby authorize and empower you to call before you, or any three or more of you, all such persons as you may judge most competent, by reason of their situation, knowledge and experience, to afford you correct information on the subjects of the inquiry; also to cause all persons to bring and produce before you, or any three or more of you, all and singular records, books, papers, and other documents touching the premises which may be in the custody or under the control of them or any of them; also to inquire of the premises, and every part thereof, by all lawful ways and means whatsoever.

And We will and command that this Our Commission shall be in full force and virtue, and that you Our Commissioners, or any three or more of you, may from time to time proceed to the execution thereof, although the same be not continued from time to time by adjournment;

And for your assistance in the due execution of this Our Commission, We do hereby appoint our trusty and well-beloved Henry Denny Warr, Esquire, Barrister-at-Law, to be your Secretary, whose services and assistance We require you to use from time to time as occasion may require.

Given at Our Court of St. James's the Twenty-ninth day of July, One thousand eight hundred and eighty, in the Forty-fourth year of Our Reign.

By Her Majesty's Command.

W. V. HARCOURT.

ROYAL COMMISSION.

LONDON CITY LIVERY COMPANIES' VINDICATION.

CHAPTER I.

The more than questionable origin of the Royal Commission—Sir Hardinge Gifford defines the promoters' purposes—The Companies' rights incontestably shown and proved through early stage of the Commission sitting—The Commissioners' acknowledgment of fairness of the Companies' returns—The Inquiry: triumphant results to the City Companies—Virulence of the Companies' enemies' attacks—Proved strictly private character of the various Companies' property—The Companies' faithful discharge of duties in the past on a par with present admirable business management—Governing bodies' devotion to duties of their trusts without parallel—The late Lord Derby and Lords Eldon and Lyndhurst would have exerted their eloquence on side of the Companies—Expression of hope that Lord Derby and the Duke of Bedford may in dealing with their large properties manifest like sense of duties seen in the City Companies' acts—Messrs. Firth's, Beale's, and Phillips' attacks increase in virulence—The Companies' permitting attacks to pass unchallenged adding to their boldness—The Secretary of the Commission, instead of an unbiassed instrument, proves to be an active partisan—He issues an authorized private Circular as coming from the chairman and his colleagues with object of promoting active agitation—Further assigned purposes through wrong usage of the Commissioners' authority—Unauthorized usage of the Lord Chancellor's name by the Secretary—Intimation that the Lord Chancellor will not oppose any Government measure based on the Commission's recommendations—Metropolitan and Provincial press to be induced to agitate against the Companies—The dignified silence maintained by the Companies the cause of agitators' adoption of a course resulting in their overthrow—Secretary Warr's conduct brought under notice of House of Commons—The Secretary of State's explanation—Labours of the Commission an ordeal resulting in honour to the City Companies.

Great public interest attaching to the City of London Livery Companies' Commission.

NEVER has any Commission issued under England's Royal Mandate been beforehand heralded so noisily, or impressed from first to last with so great amount of national interest and public expectation, as attached to the Parliamentary Inquiry under the presidency of the Right Hon. the Earl of Derby, into the Properties and Rights of the Ancient Guilds of London, under title of the London City Livery Companies' Commission. For a long series of years prior to the Commission's appointment, the columns of the least respectable of the metropolitan newspapers had been used by the promoters as channels for disseminating charges against the Companies, such as by continuous repetition could hardly fail to impress belief that there existed good grounds for at least a fair moiety of the charges being worthy of credence. The prosecutors, though apparently known to be men not of highest standing, had secured the public ear. Of the result of the inquiry, it may with truth fearlessly be asserted there never was the smallest need of legislation to secure any better usage of the properties controlled by the various Companies, and that the inquiry was "conceived in sin and shapen in iniquity." None but parties interested in a possible scramble moved in the matter, yet this really insignificant but very persistent clique created in the first instance a clamour by inventing and disseminating utterly unfounded charges against the

Origin of the Commission of more than questionable nature.

various Companies, involving gross malversation of charitable and other monies, the continued repetition of which with increased boldness and envenomed falsity, eventuated in the public and Parliament accepting the baseless charges as presenting sufficient grounds for a Commission of Inquiry.

As the Inquiry progressed it became more and more evident that no case existed against the Livery Companies, that the agitation was nothing more than an openly avowed attack upon property by persons of small standing, before whose cunning and rapacious eye dangled a glittering prize as the likely reward of successful agitation, and that the general public or portion thereof really most interested in what might be deemed a more popular expenditure of the various Companies' revenues, none came forward to back up the allegations, and consequently it was left to the conspirators themselves to establish, which they wholly and entirely failed to do, any one of the wild charges preferred. It had been boldly declared by one of the leading revilers, that "*the conduct of the Companies has been such in their trusts as, if "they had been private individuals, would have subjected them to be "treated as criminals,*" to whom Shakespeare's anathema,

"His only gift is in devising impossible slanders," is not without application.

Foiled and discomfited as they were, Mr. Phillips, one of the conclave, in reply to Lord Derby, Chairman of the Commission, did not hesitate to declare before the Commission that his mode of dealing with the private properties of the Liveries would be to gather the whole into "what he termed a "hotch-potch," "Sell the Halls, every one of them," and hand over the proceeds to somebody not very clearly defined. Mr. Phillips' term "hotch-potch" has been thus analogously alluded to by Sir Hardinge Giffard, the late Solicitor-General, who has characteristically observed,

Sir Hardinge Giffard defines the promoters' purposes.

"They often heard about improvement, development, and sphere of "usefulness. Those were delightful phrases. When he went home a "gentleman might ask him for his watch, and tell him that he required it "to develop it into a new sphere of usefulness. Whether he yielded to the "man's pressure or not would, of course, very much depend upon whether "he could keep the watch or not. He would rather keep it, but if the "forces were too strong, he would give it up for a time, but then he should "appeal to the learned judge. If A was deprived of his property, he "would very likely think he was badly used, until B suffered the same "fate, and so down to Z; and if all was to be placed in hotch-potch, some "of them would not very much object. Fortunately, they lived in a "society which recognized that there were such things as truth, right, "property, and law, independently of a number of voices which might "be got to cry out in a particular clamour. There were eternal principles "of truth and justice, and no society could exist unless they equally "respected the rights of all."

A retrospect of what led to the Commission's appointment excites a general expression of surprise that such an inquiry should have been deemed necessary on such instigation as ruled in the case, the more remarkable seeing that really national matters of vital importance are left to work out their urgent problems unaided, the which may have been advantageously solved through the means and large expenditure involved in this investigation of the London City Livery Companies. The only parties really benefiting by the inquiry are the Companies themselves, who from first to last, under great aggravation and insult, have observed more than refraining endurance and great dignity. Even the enemy who for purpose of despoil heaped false charges on their heads the

better to disguise their own ends, now realize that men who could thus bear themselves are of a class from whom no other course should have been expected.

The case of one Guild was the case of its brethren; each was forcibly and honestly stated before the Commission. One and all asserted that their property was private property, not the less private property because held by a body of joint owners. The leading Companies proved such to be the case, and that they have held it for centuries without adverse claim or question. They have proved their free sale and purchase of other property in its place whenever such was deemed by them desirable, often from the Crown, i.e. from the Government. They have clearly shown that the funds with which these purchases have been made have arisen for the most part from savings of income, from contributions by members of the respective Companies, or bequests by deceased Liverymen. They have also made plain that a portion, though a comparatively small one, of their property is held under special trusts, which, like all other trusts, are under the control and supervision of the Courts of Justice; and what is of equal moment at a time when their possessions are threatened by a gang of would-be spoilers, they incontestibly show that those Courts have over and over again decided that as regards the bulk of their property the Companies are in no way whatever public bodies amenable to be recalled to their duty by the Crown. They prove themselves to be mere private owners, and that though originally private and voluntary guilds formed upon an extremely ancient type of association for common aid and comfort and for common festivities, yet their continuity is unimpaired. Some obtained from the Sovereign charters and licences without which this continuity could not have been preserved, and in return undertook the supervision of the particular trade to which their members belonged, and it is from these the present Companies are proved to be descended. As a rule, however, the duties they discharged are long since dead or become obsolete, as much so as the onerous military tenures upon which such estates were formerly held.

The various Livery Companies' right of property incontestably proved.

After long and exhaustive probing of every matter the Companies' enemies could suggest, extending over several years of investigation, this High Commission has brought its sittings to an end, and a record of its doings filling several folio volumes, of many hundred pages each, is the result. The Commissioners' instructions were to inquire into the "circumstances and dates" of the foundation of the Livery Companies of the City of London; the objects "for which they were founded; how far those objects are now being carried into effect; and into any Acts of Parliament, charters, trust-deeds, decrees of Court, or other documents founding, regulating, or affecting the said Companies, or any of them." The aim of the Commission was to ascertain the constitution and powers of the governing bodies of the Companies; the mode of admission of freemen, livery, and other persons constituting them; and the gains, privileges, or emoluments to which such persons are entitled. All facts as regard the salaries and other emoluments; the mode of appointment, and the duties of officers and servants; the real and personal value of the property of, or held in trust by, each Company, were objects to be inquired into by the Commission. They were also commanded to judge as to what measures may in their opinion be necessary for improving or altering the constitution of the Companies, or the "appropriation or administration of the property or revenues thereof." To enable the Commission to form a "sound judgment upon these premises," they were empowered to adduce the evidence of those who, "by reason of their situation, knowledge, and experience," should be deemed competent to give information upon the subjects of the inquiry. The circular

Outline of the Commission's powers, and the Commissioners' public acknowledgment of the ability and frankness of the various returns of the Companies made in obedience to the usual forms and circulars sent out by them.

addressed to the Companies was of the most searching and exhaustive character, and was replied to with more than a ready frankness—but with becoming protests against the jurisdiction of the Commission. In sending to the Royal Commission the returns demanded, the Companies generally state, in the most formal and emphatic manner, that their readiness to assist the Commission is due to the respect which they owe, and wish to pay, to the Crown from which the Commissioners derive their authority, and is not to be taken, now or hereafter, as an admission on the part of the Companies that their private affairs may be inquired into, or their private property dealt with, otherwise than in due course of law. As in the times of Richard II., the Commission was "armed with ample powers of discovery;" but now, as then, the Companies, though ready and willing voluntarily to give every information on the points of inquiry, yet wisely and properly dispute the jurisdiction of the Commission. The Commissioners acknowledge frankly that returns were received from nearly all the Companies, and generally compliment them in regard to these returns, which they state were, "as a rule, prepared with care, and, as it appeared to us, with candour." The report states that "many were admirably drafted. This observation applies not only to the returns received from the great Companies—all of which have made returns—but to those received from many of the minor Companies." Every reader is struck with the more than candid manner in which the various Companies replied to all queries of the Commission. They have been more than willing witnesses in everything concerning their affairs, and have furnished not only full and minutely detailed circumstances under which the Companies were founded in ancient days, but have stated in lucid manner the purposes for which their vast properties have been acquired and so carefully husbanded; so also are they frank and explicit as to every penny of expenditure.

Triumphant results of the Inquiry without parallel in any other such tribunal.

The annals of the British Parliament contain nothing analogous to the Report of the City of London Livery Companies' Commission, whether considered in reference to the circumstances under which the inquiry was instituted, the vast elaboration of details, the exhaustive extent of their investigation and prosecution, and certainly not least in the triumphant result it makes matter of history, i.e. a signal and complete refutation in every point, of the legion of falsehoods and palpable inventions which had been the creations of jealous and evil-purposed enemies through many years, and upon whose foundations these crafty and designing men have erected the fabric of misrepresentation through which the Commission was called into life.

The full Commission, in the report signed by the whole body of Commissioners, thus express their sense of the care evidenced in the compilation of the various returns, and of the general candour of the Companies:—

Acknowledged promptitude of the various Companies in rendering returns to the Commissioners.

"The Grocers' Company, the second of the 'great' Companies of the "City of London in order of civic precedence, had, a few days before "your Majesty's Commission was issued, appointed a Committee 'to "'search their records and prepare a report upon the constitution and in-"'come and expenditure of the Company, and the general management "'of the Company's business.' The report of this Committee was pre-"sented to the Court on the 2nd of February, 1881. We shortly after 'received this report in such a shape as to be in conformity with the "forms which we had sent to the Company. These were the first "returns which we received from a great Company, and they were "drafted with much ability.

"From this date we continued to receive returns from the Com-"panies, and in the result, by the commencement of 1882, we had 'received returns from nearly all the Companies. They were, as a rule,

"prepared with care, and, as it appeared to us, with candour. Many "were admirably drafted. This observation applies not only to the "returns received from the great Companies—all of which have made "returns—but to those received from many of the minor Companies. "The result has been to lessen to a material extent the difficulty of "analyzing the contents."

Virulence of the City Companies' enemies' attacks.

One of the chief agitators against the Companies was appointed on the Commission, and in that capacity was in a position to press his hostile views through the evidence of friends if possible more advanced than himself, men chiefly distinguished for bitter attacks extending over years in the columns of certainly not the most reputable or high-toned journals. To quote passages from the writings of Mr. Firth, Mr. Beale, Mr. Gilbert, or Mr. J. R. Phillips, vilifying the City Companies, is to degrade this record of their arraignment. Their attacks were often couched in such language and with adoption of such grossly unfair conclusions as to be altogether without the pale of ordinary criticism. Such were the leading prosecutors in the indictment, and it is mainly through the aid of these men that their friend and coadjutor, Mr. Firth, was enabled to develope their objects before the Commission, taking some little care so to moderate their language and epithets as to secure admissibility, though unable to conceal their communistic propensities.

The Commission's conclusive showing as to the Companies' properties' strictly private nature.

The testimony recorded by this Commission is of the highest national moment, seeing that the Companies' benevolence finds channels of flow through all parts of the kingdom. It has been conclusively and without any or the least flaw proved that the properties of the City of London Companies have all and every known mark of private property, and in their case that the one seriously objectionable feature, the power of *exclusive individual enjoyment*, is utterly non-existent. It is beyond question that this entire absence of all personal power and selfishness is a peculiar and grand feature in the holding of their possessions, though it has doubtless brought upon them jealous and envious enemies who prosecute with ceaseless and untiring vigour every possible means likely to lead to seizure of their properties under the wicked plausible pretence of their diversion and redistributive application for "more popular objects and purposes."

The Companies' faithful discharge of duties in past ages, on a par with their admirable business management in modern times.

The evidence and facts disclosed before the Commission bring out into clear light that the governing bodies of the Companies have, through long past ages, as now, been conscientiously loyal to the good men of old who solemnly bequeathed their properties to their keeping. The records of this Commission point to them as true exemplars of a religious and scrupulously thorough devotion to the duties devolving upon them throughout long bygone generations, during every one of which faithfulness to trust is proved to have been their sole aim and guide. Their perfection of business management, as their unsullied characters, is grandly brought out by the various showings of their descendant representatives, the Courts of the different City Companies. Their individual self-sacrifice stands forth in boldest relief, as without any precedent, defying all question, and as entirely beyond the power of the most painstaking researches of lawyers and historians to produce any other like instances of devotion and faithfulness. They nursed and built up, under circumstances of fiery trial such as would overwhelm ordinary men, amid scenes of great political violence and public rapacity and wrong, the properties confided to them, and which now exist as monuments of their fidelity without parallel, and hopelessly to be sought in the histories of any private estates.

Kings have from time to time, it is shown, laid ruthless hands on their holdings, as have mob Parliaments in bygone ages despoiled them, but

The governing bodies' devotion to duties of their confided trusts without any parallel.

like the untiring ant, they have returned to the ruins of their confided trusts, and with no other motive than devotion to duty have bought back and redeemed, by proceeds of hard individual toil, their properties, or as in the instance of devastation by the Great Fire of 1666, reproduced them in greater beauty and enhanced usefulness, so that their honour and just dealing should be handed down in untarnished lustre to their successors. History affords no other such noble example, the eloquence of a Macaulay is vainly sought to afford any other such illustration of the perfectitude of trust in every its highest aspect.

The late Earl of Derby and Lords Chancellors Eldon and Lyndhurst would have proved foremost denunciators of the spoliators of City Companies.

The chivalrous and justice-loving late Earl of Derby would have stood forth foremost with words of burning eloquence, of which he was so consummate a master, denunciatory of present marauders, who eagerly seek their hoped-for prey and with unholy hands to clutch the properties of these Companies of grand historic fame, the depositaries of the goodness and virtues worthy of imitation in these present days. A Lyndhurst would have rushed to the rescue with indisputable legal denunciation worthy of the occasion, as would an Eldon pour out on the heads of to-day's communists a vial of vituperative utterances worthy of the occasion, and fitting the wickedness of the design such as would stir the nation to its heart-deepest recesses. It is no question of party, it is the cause of the faithful and just steward against the robber and ill-doer. Once admitted and carried out, there ceases to be any or the smallest security for any holder of property, however small, the principle involved being of universal application.

Expression of hope that the duties and responsibilities attaching to owners of large properties may be as conscientiously admitted and as faithfully acted out, as have been those of the City of London Livery Companies through their past and present representatives.

In connection with this Inquiry the fair-judging portion of the public will ask, What difference is there between much of the properties held by the City Livery Companies and the properties controlled by his Grace the Duke of Bedford, or the Earl of Derby, the Commission Chairman? Are the moral obligations in either instance greater or lesser than in the other? Or, Have the London Livery Companies ever exhibited less sense of public or individual duty in becoming discharge of their responsibilities than has been evidenced by the eminent noblemen appointed to sit in judgment upon them? Does the Duke of Bedford handle or deal with his great property around the site of Covent Garden Market, one of the leading centres of the Metropolitan food distribution, with any or the smallest eye to the public advantage? Are not all the streets and thoroughfares adjoining it one acknowledged chaos and traffic block, and subject of universal condemnation? Is there any regard paid to the public good in these or many thousands of other properties controlled by private individuals in and around England's Metropolis? Has not the Earl of Derby within the last few years received huge sums of money from the Dock Board of Liverpool in payment for land needed for docks construction at that port? Has any one questioned his perfect right to pocket those money proceeds and deal with them as being positively his own? Pursuing these analogous cases a little further,—may it not be asked, Has Lord Derby set aside considerable portions of the receipts from these land sales and applied the same to the creation of charitable or educational trusts? Looking at the population everywhere surrounding the Liverpool Dock precincts, is the same not of a class needing every help, whether in shape of hospitals for assuaging human suffering, or institutions for the hoped for prevention of vice, or any of the other philanthropic forms of our times? Have such duties and responsibilities been discharged? and how does the account compare with that of the City of London Livery Companies? Without any desire or intent to call in question these noblemen and their fellow large property owners' conscientious discharge of the many duties and responsibilities attaching to wealth, and for which

they will on the Great Day be called to solemn account, it shall serve present purposes to venture the hope that in their cases it may be seen to have approached, even though distantly, the acts of the worthies of old, founders of the City Companies, or their successors and to-day representatives whose honour and character have been so infamously traduced. One feature is eminently and irrevocably certain. If the time has arrived for dealing with the properties and incomes of the London City Companies in accordance with the schemes of Messrs. Firth, Beale, Phillips, and men of their ilk, then all may feel assured that the day is close at hand for application of the same principle to all property, be it whose or what it may.

Messrs. Firth, Beale, and Phillips untiring in their attacks on the governing bodies of the Livery Companies, charging them as criminals.

It is not needed to pollute pages of this volume with extracts from the foul stream of vilification of the London Livery Companies poured out continuously by one of the Livery Companies' Commission, Mr. Firth, who had the grace to allow his name association on it. He and his coadjutors, Mr. Beale and Mr. J. A. Phillips, have been unceasing revilers of the honourable men associated as Masters, Wardens, and Court of Assistants of these ancient Corporations. One libel from the pen of Mr. Phillips is a sufficing example of his venom and purpose. Who shall say what are the hopes of these untiring zealots of wrong and redistribution, should the aimed-at seizure be accomplished! He it is who has vilified the whole body of high-minded, right-doing men, whose lives have been devoted to such management of the City properties as enables them to yield as bountifully as they have done in the cause of benevolence. He has stated that—

"*The conduct of the Companies has been such in their trusts as, if they had been private individuals, would have subjected them to be treated as criminals.*"

The long-persisted daring attacks permitted by the Companies to go on unchallenged, gave boldness to their enemies.

How often it happens that men, through the extreme wickedness of plots carried out almost to the verge of successful realization, and when all seemed smooth and about to yield fruit through the prize being at grasp reach, and yet at the last moment some weak and ill-advised step confounds the purpose of the machinations, and the evil-doing is not only frustrated, but laid bare to the world. Dynamitards have hatched many devilish plots, but He who rules over all has hitherto rendered their fiendish acts unavailing, so far as inflicting the proposed horrors. So in the case of the conspiracy against the City of London Livery Companies, which has for years past been working at its evil designs, and which at last through wholesale slander and false statements made headway, so far as to secure the appointment of a Royal Commission of Inquiry, heralded by great flourish of trumpets proclaiming the immediate disclosure of an amount of wholesale plunder and wrong-doing in the past administration of those Companies' acquired wealth that would astonish the world. So loud and persistent was the blast, that the public had generally been brought to believe that these time-honoured institutions were in "a bad way," and that great malversation of funds had been the feature of their past existence, and that its perpetuation continued the characteristic of present management.

The official Secretary should be unbiassed, but in the case of this Commission was a partisan.

Without imputing even in the smallest degree any wrong desire on the part of any members of the Commission, save in the instance of an avowed enemy of the Companies arraigned, the main body being composed of men of the purest motives and intentions, and above all suspicion; yet who shall say that the fountain of justice has been free from contamination, looking at the fact that a bitter partisan acted as Secretary and mouth-piece to the Commission, and had daily opportunities of furthering the ends of the Companies' enemies. The official Secretary is

in every such Commission the chief adviser, as he is the instrument of expression in words, of every act of the Commission; he it is who frames and records its opinions and resolves. In this peculiar instance it is, however, seen that the Secretary was far more.

The Secretary issues an apparently official circular, on stated authority of the Chairman, urging agitation against theCompanies

The person who acted as Secretary to the City Companies' Livery Commission turns out to have been no mere friend and coadjutor of the attempting spoilers, but the head and front of the agitation. After the evidence before the Commission is completed, the decision recorded and signed by its members, and its books closed and sealed, this self-same man is found affixing, as is stated without authority, the names of the chairman and certain of his colleagues to a circular of an infamous character, associating them with the most virulent enemies of the Companies in an unlawful conspiracy, and of which he makes them the leaders. No other construction can be put on the following document bearing the signature of the Secretary in his official capacity, apparently issued from the judgment-seat and clothed in all the panoply of Lord Derby's dignity and grace. Audacity could by no possibility go further; it, however, has one merit—that of damnifying every recommendation of the Commission in so far as any hostile intent is enunciated. Such is the mildest reading of the following circular, which, happily for British Parliamentary history, is destitute of any other such outrageous example. The words in italics are as in the original.

[PRIVATE.—Not for publication.]

City of London Livery Companies' Commission,
2, Victoria Street, Westminster, S.W.,
Sept. 22nd, 1884.

The circular issued by the Secretary, purporting t o be an official and authorized document.

DEAR SIR,—A copy of the first volume of the report of this Commission is posted to you herewith.

I am directed by Lord Derby and his colleagues, who sign the principal report, respectfully to draw your attention to it, and to request that you will do them the favour of commenting on it in an article or articles in your very valuable paper.

The subject is one with which the Government intend to deal in the parliamentary session of 1885, and nothing is consequently more necessary than *to educate the opinions of the Liberal electors of the provinces*, who have little acquaintance with London matters. The recommendations are explained on pp. 42—44.

The damnifying circular plainly a usage of the Commission's authority for agitation.

An interesting feature of the case is the attitude of the Lord Chancellor [see pp. 42-64, 69-71, 189-190], who is a distinguished member of the Mercers' Company; but it is not supposed that he would oppose the Government measure, which is to be based on the recommendations.

The recommendations are themselves based on the legislation with respect to Oxford and Cambridge, and are thus strictly in accordance with precedent.

I shall be very glad to receive a copy, if you will be so kind as to send one, of your article or articles.

Lord Derby and his colleagues will be greatly obliged to you for giving them your valuable assistance.

I am, dear sir, very faithfully yours,
(Signed) H. D. WARR, Secretary.

To the Editor of the ——

This circular is plainly an announcement from the chairman of the Commission, Lord Derby, that a Government measure hostile to the Companies is at once to be submitted to Parliament, backed

by the authority of the Commission, and that its members will lend their authority and influence thereto, and Lord Derby is made to exhort an agitation to promote its passing into law. Worse than all, the name and high office of the Lord Chancellor of England is sought to be dragged into the conspiracy, and brought forward and degraded into an ally of the nefarious conspirators as a party *presumed not to oppose the Government measure, which is to be based on the recommendations of the Commission.*

Further assigned purposes through wrong usage of the Commission's authority.

It is stated that newspaper articles have been prepared and submitted for adoption to more than one chief controller of Metropolitan and leading organs of important Provincial centres, through which the scheme disclosed in outline by Mr. Warr, the Official Secretary of the City of London Livery Companies' Commission, in his extraordinary and unprecedented "*private and not for public circulation*" circular, is "*more fully developed.*"

Mr. Secretary Warr's entreaty "*to educate the opinions of the Liberal electors of the Provinces, who have little acquaintance with London matters,*" was to bear fruit in "*a new flood of light.*" The colourable though utterly unauthorized announcement of the crafty, and as it would appear unauthorized document (an apparently forged usage of the names and authority of high personages who by Royal Command were constituted a solemnly Impartial Court of Inquiry) was to be the instrument giving weight to all inspirations of the wire-pullers it was designed to shelter, and under shadow of whose wings it was to work its designs.

Unauthorized usage of the Lord Chancellor's name, and perversion of his evidence.

The unmistakable assurance that "*An interesting feature of the case is the attitude of the Lord Chancellor, who is a distinguished member of the Mercers' Company; but it is not supposed that he would oppose the Government measure, which is to be based on the recommendations,*" was to be relied on to open the road, so that nothing could stand in the way of an entire success of the long-worked-for overthrow and spoliation of London's great City Companies, whose deeds of benevolence, public hospitality, and wisely and honestly discharged duties and trusts are the admiration and envy of the whole world.

Metropolitan and Provincial organs to be availed of to excite public opinion in favour of spoliation.

The "Metropolitan and leading Provincial Centre Organs" were to announce that the leading feature in the Government New Bill was to be the appointment of Commissioners who were to take in hand the properties so that they should be dealt with under semblance of allocation, or in official language, that "*the Companies shall be compelled by such Commission to allocate their incomes to the support of objects of public utility.*" These Commissioners were to effect an entire change in the management of the City Companies' properties and to "*relieve the Courts and Liveries from the labours known to attach to properties and charities the accumulation of ages, now grown into a magnitude only to be dealt with under a well-devised system of centralization and management in conformity with the spirit of the age, and commensurate with the vastness of the possessions requiring to be dealt with.*"

Probably hoped-for advantages to the agitators.

Who so eminently suited to be the Commissioners for this purpose of relief as the agitators through whose skill and misrepresentation its hoped-for realization had been brought about? Towering over all other candidates, they would of necessity be the men of all others best adapted to fill the doubtless well-endowed offices. Their presumed versedness in all the details and alleged mysteries of the various Companies' concerns acquired through the Commission Inquiry, would in a marked manner designate them for the duties, and they would possibly not have reckoned vainly in a hope of seeing themselves installed as Dispensators of the revenues towards which their eager eyes and longing hearts have

so long yearned. What more fitting or better-earned reward for their disinterested, patriotic labours in a cause yielding a very Danaic shower of gold amongst hungry malcontent followers, utterly antipodian as channels to those into which these boundless gifts of benevolence and mercy were intended to be poured?

The silence and dignified bearing of the Members of Courts of the Companies, stimulants to the agitators, and leading to their overthrow.

It would almost seem that the silent dignity with which the Courts of the City Companies have comported themselves during the long years through which the clique of would-be spoilers have been prosecuting their machinations, was an indication of their entire conviction that "God would defend the right." Enough of rope only was needed for committal of complete self-vengeance, and a suicide bringing with it the entire demolition of the agitators' fabric of falsity and wrong. The hand of the spoiler was too eager for the prey. The gang selected an unwise instrument. The cloven foot has been too plainly disclosed. The daring usage of the names of the Lord Chancellor and Lord Derby, and wrongly putting them forward in the unrighteous cause, is almost beyond credence, and but for the matter having already engaged the attention of Parliament, few would believe it. Never before has there been such an abuse of authority, the more serious looking at its great issues.

Is brought under notice of the House of Commons.

The matter was brought under notice in the House of Commons by Sir S. Northcote, who asked Sir W. Harcourt, the Secretary of State for the Home Department, whether he would have any objection to lay upon the table a copy of a letter written by Mr. H. D. Warr, Secretary to the City of London Livery Companies' Commission, by the direction of the Commissioners, and addressed to the editors of certain Liberal newspapers, with a view to "educate the opinions of the Liberal electors of the provinces" upon the recommendations of the Commissioners in their report.

The Secretary of State's explanation of the circular being entirely unauthorized and issued without the Commission's knowledge.

Sir W. Harcourt said that since the right hon. gentleman had put that question on the paper he had communicated with Mr. Warr (Secretary to the Commission), and also with its chairman. On seeing the Secretary, that gentleman frankly admitted to him that substantially what was stated in the question was true; but he also stated that he had no authority from the chairman of the Commission, or from any one upon it, to write such a letter. He had also communicated with the chairman, who wrote that he never directed Mr. Warr to write letters to the newspapers, or to call attention in any way to the subject of the report of the Commissioners; nor did he know that Mr. Warr had done so; and Mr. Warr certainly had no right to use the name of the Commission in connection with any correspondence of that kind. He himself had told Mr. Warr that it was a most indiscreet and improper proceeding on the part of the Secretary of a Commission, who ought to be absolutely impartial in the matter, and ought to obey their directions in what he wrote and did. Mr. Warr, he thought, recognized that that statement on his part was well founded. He thought, therefore, that the right hon. gentleman would see that it was impossible to lay any papers on the table. He had not seen the letter in question, but Mr. Warr admitted that he wrote it without any authority from the Commission or the Chairman. Consequently, it would not be an official document at all; and it was written after the Commission was *functus officio*, and its report had been made. Mr. Warr could only allege a slight communication from one of the Commissioners at all relating to communications with the newspapers.

The circular bearing Mr. Warr's name is about as great an outrage on the fairness which is presumed to be the unvarying characteristic of a tribunal bearing the high-sounding title of "Royal Commission," as can be imagined, and although when brought under the notice of the

Secretary of State he remarked upon it being "most indiscreet and improper," yet a much graver character attaches to it when viewed in connection with the fact of the Commission having been mainly called into existence through the instrumentality of the few individuals who share with Mr. Warr whatever hostility to the Companies was developed during its sittings. All who have followed the whole course of the agitation, will detect in these circulars a repetition of tactics which have been employed throughout. The unauthorized use of the names of Lord Derby and his colleagues, the unwarranted statement as to the intentions of the Government, the appeal to provincial opinion upon the civic affairs of London, and the assumption that the Lord Chancellor would belie his strongly expressed opinions rather than oppose a Government measure, are exactly in accord with the system of misrepresentation which the small but noisy band of club delegates, who act with Mr. Firth, have pursued throughout. It is much to be regretted that Sir Sydney Waterlow's name should have been introduced, and it is suspected to be more with an object of securing any support it may be presumed to carry than from any other motives. It is impossible to believe that he can have sanctioned it any more than did Lord Derby. These circulars must have the effect of sickening all decent men with the whole affair. The Commission was divided in its recommendations, and the Government will do well to wash its hands of an *ex parte* and unfair matter, whose whole existence has proved from beginning to end an unwarranted interference with private property, and in every way a trouble and a snare. The Government may be congratulated that the Commission Secretary gave such a finishing touch to the picture, as utterly to preclude any further handling.

The labours of the Commission an ordeal which has conferred honour and proves integrity on the Companies' Courts of management.

Now that this High Commission has brought its labours to an end, the endless bills of indictment prosecuted to the utmost, and the books closed, it is fitting to dissect and examine the information transmitted, and the several conclusions arrived at and recorded. As to the Companies themselves, they come out of the ordeal not only unscathed, but with dignity and proven integrity, worthy of their class as prominent citizens of the greatest city of the greatest mercantile country of the globe. They are shown to have exercised more prudence in the every-day life of their Companies through long series of ages than any other institutions of the land. We see how they comported themselves in early days of past history under endurance of State spoliation—in sufferings through fire devastation—under levies of forced contributions towards unlawful objects—in careful and painstaking building up their properties under trying poverty—discretion in dealing with most trivial as with greatest and most important concerns—and withal an ever-boundless benevolence showered not only on the objects specially designated by their founders and benefactors, but bestowed broadly and nobly free from sectarian spirit wherever proper objects have been presented.

CHAPTER II.

Dishonourable charges of Mr. Firth against the Livery Companies—The charge of bank-notes being placed beneath plates at alleged weekly dinners generally—Firth, when called upon to prove such as general practice, applies same to Cutlers' Company only—Mr. Beaumont and Mr. Graves, of Cutlers' Company, utterly deny the truth of the charges—Correspondence of Sir Frederick Bramwell and Mr. Prideaux, of Goldsmiths' Company, on the subject; in which Mr. Firth adduces a pretended case said to have been furnished him by a Quaker long since dead—A second circular with object of exciting further agitation against Companies through the means of the newspaper press—The second circular avails of the name of Sir Sydney Waterlow, recommending him as a candidate for mayoralty under the hoped-for new municipality of London—The Companies' chief assailant's antecedents—The worthless character of Mr. Beale's and his associates' evidence before the Commission—General properties of the respective Livery Companies proved to be private—Firth's misrepresentation as to salaries pretended as paid to the members of the Livery Courts—Facts as to the large numbers of University exhibitions held by the Goldsmiths' Company—Firth's misrepresentation as to allowances pretended to be made to decayed Goldsmiths—The banquets given by the various Livery Companies made the bill of indictment against the Companies—Persistent repetition of falsehoods as to such—Any presence of the would-be spoilers at the Companies' dinners an abomination to right-minded men—Britain's naval and military heroes from time immemorial chief guests at such entertainments—Gross exaggerations as to cost of such entertainments—Tricksters and slanderers no fitting partakers of such feasts—The entertaining illustrious men honourable to the Companies and the nation—The occasions in past days a leading means of Jewish emancipation through Jews' presence at the feasts.

Various dishonourable charges brought against the Livery Companies through Mr. Firth.

Among the many prominent and barefaced falsehoods continuously disseminated during many years past through every available channel, and relied on as proving more than plausible instances of dishonourable application and usage of the various Companies' incomes, has been a statement that salaries have been paid, that same have been in addition to fees for attendance duties on Committees, to members of the Courts of the Companies—that *weekly feasts have been held*, and it has been openly asserted that in addition to these salaries and attendance fees, that *monies were on occasions of such feasts placed underneath the plates of the dining members* in further pandering to the alleged plunder usage of the trust monies. This is no exaggerated statement of the foul charge.

So palpable was the action of these men in regard to these many fabrications that although the majority of the Commission refrain from an expression of their convictions regarding the same, yet the minority of the Commissioners speak boldly thereon. Thus, in their report (3):—

"It is only right that we should state that if the inquiry in which we "have been engaged is to be regarded as a proceeding between our "colleague, the honourable and learned Member for Chelsea, acting as "a Government prosecutor, and the Companies of the City of London, "the prosecution has failed, and the Companies have been successful. "They easily defeated Mr. Firth as regards every part of the case set up "by him in his work called 'Municipal London,' *and a motion by Mr.* "*Firth in favour of disestablishment and disendowing the Companies* "*was rejected in our deliberations by a majority of ten to two.* The

"gentlemen who appeared before the Commission to support Mr. Firth's "views were, in our opinion, examined by us *ultra vires*, as they could "not be 'judged'—we say it with respect—to be competent by reason "of their situation, knowledge, and experience, to afford correct in- "formation on the subjects of the inquiry, within the meaning of the "terms of your Majesty's Commission."

Mr. Firth makes direct charges in his "Municipal London."

Mr. Firth, the member of the Commission apparently ever-untiring in directing the usage of its powers to the various Companies' detriment, thus openly prefers the charges in his book entitled "Municipal London:"—

"*The responsibility of a seat in the Court carries with it a salary; the meetings of the Committees are duly paid for; some Companies have dinners of some kind as often as once a week, and lucky are the Committee-men of such Companies, for, in addition to their salaries, they sometimes find a bank-note delicately secreted under their plates.*"

Mr. Firth's charge that members of the Courts receive a salary, and this in addition to fees paid them for meetings attendance, is of general application and doubtless intended so by him. The allegation has been demonstrated before the Commission to be entirely and utterly untrue.

The under-plate bank-note charges.

Who has not heard of these "under-plate bank-notes"? It has been a proverb with certain sneerers to refer to a member of any Court as an "under-plate bank-note man," and it has been currently believed that some such, or even worse practices have been the rule with the Companies. In the dissemination of such atrocious slanders the motive was designing enough, as was a City Livery Companies' Commission the natural outgrowth. The Courts of the respective Companies patiently, and with a dignity consistent and worthy of honest discharge of duty, submitted to these and other such outrages on their character and honour. Conscious of right, they waited their time. An instrument of retributive justice turns up in no other than Mr. Secretary Warr, who in panting zeal to deal, as he believed, a final blow, unintentionally unearths the whole plot.

Mr. Firth driven from the charge's general application, applies it to the Cutlers' Company.

Such a statement when broadly applied was too outrageous to be credited by those who knew and appreciated the character of the men implicated, and accordingly Mr. Firth was driven to name instances. He unluckily fixed on the Cutlers' Company as one of the "under-plate bank-note men" delinquents, and on the eighteenth day of the Commission sitting, Mr. Graves, a prominent member of the Court of the Cutlers' Company, and also Mr. Beaumont, the Clerk of the Company, attended the Commission.

The Chairman (Lord Derby), addressing Mr. Beaumont, said,—

"I understand that you wish to make some explanation with regard to this passage" (quoting the same, which is the under-plate bank-note declaration), "which appears in Mr. Firth's book, 'Municipal London.'"

To which Mr. Beaumont replied,—

"I only wish to do so if that statement can be treated as referring, as I understand Mr. Firth has done, to the Cutlers' Company."

Lord Derby observed,—

"Do you wish to state that, so far as you can state it, you are a stranger to anything of the kind?"

Mr. Beaumont, with becoming dignity and unmistakable force, replied,—

"I should wish to state, as representing the Company, that I have been concerned for the Company as assistant-clerk and clerk for very nearly twenty years, and my father was clerk before me for thirty-five years. During the period that I have been assistant-clerk and clerk the whole of the affairs of the Company have been before me, and I am prepared most positively to contradict the statement.'

Sir Sydney Waterlow asked,—

"What statement?"

Mr. Beaumont's (Clerk of the Cutlers' Company) and Mr. Graves' (a member of the Court of the Cutlers' Company) denial of the statement having any truth.

To which Mr. Beaumont thus replied,—

"The statement that my Company has at any time placed bank-notes under the plates of the Court, or given them any sums of money beyond the fees, which were formerly two guineas, and which are now three guineas. Mr. Firth seems to have confined his statement to a period within the last twenty or twenty-five years. Accordingly I have gone through the accounts of the Company carefully for the last 50 years. I find they have always been kept with strict accuracy; that the fees paid to the various Members of the Court are entered in detail, and that there is no trace of any payment made to any Member of the Court beyond the fees sanctioned by the Court for the time being."

The Chairman (Lord Derby) here inquired,—

"What are the fees for?"

Mr. Beaumont answered,—

"The fees are for attendance at the monthly meetings. The Court of my Company meets monthly, and the fee which was formerly paid to a Member of the Court was two guineas; but it has been increased within the last 25 years to three guineas."

The Chairman (Lord Derby) here inquired,—

"How was it usual to be paid—in what form?"

Mr. Beaumont answered,—

"I ventured to suggest, in a letter to Mr. Warr, that if there was any foundation for this statement, it might arise from him. The practice of my Company is to place the fees in small sealed envelopes, which are placed beside the Members of the Court or on a tray, where they can take them immediately after the Court business is over.

The Chairman (Lord Derby) here observed,—

"Not on the dinner-table?"

Replied to by Mr. Beaumont,—

"Not on the dinner-table, but in the Court room."

Mr. Graves continues the denial.

Mr. Graves, one of the oldest and most honoured Members of the Cutlers' Company, was on the same day examined in regard to this alleged "bank-note under plate" practice. His reply to Lord Derby's interrogation was such as would naturally and truthfully come from any and every Member of any or either of the Livery Companies of London to whom Mr. Firth dare to apply the infamous charge.

"I have been on the Court for 20 years, and never met with a case of the kind suggested; and my wife's father and grandfather have been connected with the Court for the last 100 years, and they have never heard of such a thing existing in the Cutlers' Company; certainly during the nearly 50 years that I have known it such a thing has never occurred."

When driven into a corner as to the "bank-note under plate" business, Mr. Firth, in a letter to Sir Frederick Bramwell, stated, "I have been informed of at least half a dozen such cases, and as to some of them by persons quite as reliable as those who profess their disbelief in the existence of such a custom." Being further pressed, this veracious opponent of the Companies was unable to name any one positive instance, and the "half a dozen persons" had dwindled down to one poor inoffensive Quaker, and he now having lain in his grave many years was not producible in confirmation of this further instance of Mr. Firth's eminent powers of invention.

Mr. Firth's evasiveness and shifting of ground in regard to his serious

charges is best seen through his correspondence on the subject with Sir Frederick Bramwell.

Sir Frederick Bramwell's exposure of the truth as to pretended gifts of Bank of England notes.

March 8th, 1883.

Sir,—In the course of one of your answers yesterday you expressed a wish to know of any Company where the practice of putting money under plates has obtained; I have been informed of at least half a dozen such cases, and as to some of them by persons quite as reliable as those who profess their belief as to the non-existence of such a custom. But members of Courts of Assistants do not readily consent to become public sponsors of what they nevertheless avow to be true, and that for obvious reasons. Looking round the various cases, however, perhaps I may trouble you to investigate the matter for yourself, as I have no doubt you will now after your expression of vigorous opinion; I therefore suggest to you in the first instance that you carefully inquire into it as to the Cutlers' Company. If you come to the absolute conclusion that such statement is untrue as to that Company, say within the last twenty or twenty-five years, I will give you the name of the member of the Court of Assistants who vouched for it.

It is scarcely wise to base statements of wide belief except upon wide knowledge; what I stated as to the value of a seat on the Court of Assistants is more than proved by the 8765*l.* paid in the Mercers, and there are other Companies where the proportion to income is far greater. You will, I have no doubt, find the statement as to the minor matter of money also true, as are all my statements of fact. If and when you find it true, I shall rely on your taking such a course with respect to your statement yesterday as your own good feeling may dictate.

Yours &c.,

(Signed) J. F. B. Firth.

Sir Frederick Bramwell.

March 12th, 1883.

Sir,—I beg leave to acknowledge the receipt on Saturday of your letter of the 8th inst. That which Mr. Prideaux and myself have stated on your remark in your work "Municipal London," "That "members of the Livery Companies sometimes find a bank-note deli- "cately secreted under their plates" is as follows:—

"So far as regards the Goldsmiths' Company, this is untrue, and we "do not believe there is any foundation for it as regards any other "Company."

This positive statement as regards the Goldsmiths' Company, and our belief as regards any other Company, is perfectly true. When I was examined on Wednesday, and you put a question to me relative to this answer, I reiterated the statement, and I certainly said that I considered it a most improper remark. What I meant was that it was a most improper remark to have made, unless you were quite certain of the fact. If it be the fact that this practice prevails in the Cutlers' Company, you would have been justified in so stating; but your charge goes beyond this, and is a very general allegation; in fact the words which you have used convey the idea that it is a present common custom with several Companies.

I must demur to your assertion that all your statements of facts (so called by you) are true. But are they all facts? For instance, is it a fact that "it is a matter of common repute that the Estates of Companies "are often leased out to members at absurd rentals, enabling the lucky "lessee to make an excellent profit in re-letting them;" and is your statement as to the effect of the decision in the case of Alderman Plumbe a fact?

I do not know that I am acquainted with any member of the Cutlers' Company; I certainly do not think that I am called upon to go to the Cutlers' Company, or any other Company, to make inquiry as to what took place twenty or twenty-five years ago.

I am, Sir, your obedient Servant,
FREDERICK BRAMWELL.

J. F. B. FIRTH, Esq., M.P.,
House of Commons.

March 13th, 1883.

SIR,—I am obliged for your letter. I regret to note that you do not propose to investigate the case I submitted to you (which is one of the cases I heard of since the book was written). Notwithstanding this challenge, I also note with regret that you still entertain the belief of which you spoke. I will see that the Commission have adequate information on the point.

The other two matters to which you allude I will say a word or two about. First, as to leases: This statement rested on specific cases, and one a very glaring one. Second, as to Plumbe's case: I intend to have this case fully in evidence. When the book was written I saw the only copy of the case available which was in the Guildhall Library, and probably you will be interested in knowing that this was presented to the Library by Mr. Beal. I have had the case since inquired into, and find, as I expected, that it fully supports my contention. Of that, however, the Commission can judge.

Yours obediently,
J. F. B. FIRTH.

SIR FREDERICK BRAMWELL.

March 13th, 1883.

SIR,—Since I wrote you yesterday I find that Mr. Prideaux, without my knowledge, wrote to the Clerk of the Cutlers' Company, informing him of the communication which I had received from you, and asking whether the statement which was made to you by a member of the Court of Assistants of that Company is true, or whether there is any foundation for it.

Mr. Prideaux has received a letter in reply, of which I enclose you a copy.

Perhaps you will now deem it right to make the Clerk of the Cutlers' Company acquainted with the name of the person who has misled you, and has calumniated the Company, of the Court of which you state he is a member.

I am, Sir, your obedient Servant,
FREDERICK BRAMWELL.

J. F. B. FIRTH, Esq., M.P.,
House of Commons.

23, Lincoln's Inn Fields, London, W.C.,
March 12th, 1883.

DEAR SIR,—I am obliged by your letter of this day, in which you state that Mr. Firth has written to Sir Frederick Bramwell, stating that within the last twenty or twenty-five years the Court of the Cutlers' Company, in addition to their salaries, sometimes found a bank-note delicately secreted under their plates. This statement is absolutely untrue, and there is not the slightest foundation for alleging that any such custom ever prevailed with my Company. I have been appointed the

delegate to represent my Company, should it appear necessary, or desirable, to give any oral evidence before the Commissioners.

You are at liberty to use this letter in any way you may think proper.

I am, dear Sir, yours faithfully,

W. C. BEAUMONT,
Clerk, Cutlers' Company.

WALTER PRIDEAUX, Esq.,
Goldsmiths' Hall.

Here then we have the last of Mr. Firth on this false charge so unhesitatingly in the first instance applied to the Companies generally. Under date 14th March, 1883, he wrote Mr. Prideaux, of the Goldsmiths' Company:—

SIR,—The authority for the statement that bank-notes were placed under plates in the Company of which he was a member was John Pryor, late of Bedford Square, a prominent member of Lloyds. He was also a member of the Society of Friends. That Company was, I believe, the Cutlers, and if he was on the Court of Assistants of the Cutlers there is not the slightest doubt of its absolute truth.

It is not material in any way but as a fact. I think I stated before that the allegations in "Municipal London" did not rest on this instance.

Yours obediently,

WALTER PRIDEAUX, Esq., J. F. B. FIRTH.
Goldsmiths' Hall.

March 15th, 1883.

SIR,—I have to acknowledge the receipt of your letter of yesterday's date.

The case of the Cutlers' Company, which you have quoted to me in corroboration of your statement as to bank-notes placed under the plates of members of Courts of Assistants of Livery Companies, appears to me to be, for you, a singularly unfortunate one; for, as I understand your letter, you now appeal to a *dead man* as your witness that he made a statement to you, the truth of which the Clerk of the Company absolutely denies.

I am, Sir, your obedient Servant,

FREDERICK BRAMWELL.

F. J. B. FIRTH, Esq., M.P.,
House of Commons.

P.S.—If I have misunderstood your letter, and Mr. Pryor is alive, you will no doubt ask him to attend the Commission.—F. B.

Thus fell to the ground, as did every other of Mr. Firth's charges so recklessly made, and under such evident designs, the concoction of the "five-pound note under plate" declaration, and for which there seems never to have existed one particle of foundation or truth. Not a little remarkable in connection with the story, and the ridiculous instance of the poor dead Quaker who alone could be named to utter it, is the remarkable fact that, although Mr. Firth's letter, so damning as it is, was duly forwarded to the Secretary of the Commission, in order that it should be printed among the other documents, it has not yet appeared.

Another Circular with object of exciting further agitation against the Livery Companies.

It would appear that the course of wrong-doing did not end with the circular issued under the believed wrongly asserted authority of Lord Derby, Chairman of the Commission, and such of his colleagues as had signed the majority Report. Possibly finding the response tardier than was expected, and that no immediate action was the result, the second missive, more cautious in its terms, may have been decided upon. No

name was appended to it; the parties to whom sent seem to have been left to infer that it was a part and parcel of number one, and few appear to have been issued. To the honour of the English Press, its usual fairness was evidenced in the fact that not one newspaper was caught in the trap Public writers had read for themselves and realized that the Commission Inquiry had proved a mountain in labour and with the fable result. All the public writers appealed to were of accord. There was "nothing in it," and not even the circular apparently issued under the direct order of Lord Derby, the Chairman, availed in the least to set an editorial pen in motion. The "I am directed by Lord Derby and his colleagues," coupled with honeyed phrases, failed of their mark, and recoiled on the author as such a daring attempt should do. The second note, marked "*confidential*," was begotten in haste and impatience. There is little reason to doubt its having emanated from the same source, although destitute of place of issue as of signature. If emanating from the same source, it would seem that desperation at no immediate response was telling on the authors, who were probably getting alarmed lest the unauthorized usage of Lord Derby's and his colleagues' names should be discovered. Be this as it may, the following came into more than one hand, though with no better result to its authors than marked the birth of number one :—

"(*Confidential and Immediate.*)

"It is much to be desired that comments on the Commission Result "should be directed to the fact of Sir Sydney Waterlow having signed "the Majority Report, thus signally marking his fitness for election "as first head of the new Municipality."

"The City Liveries Companies' gross abuse of powers over property held "back from Charity Objects under pretence that such possessions are "private, affords another feature for special remark. It is essential, however, "that no question as to the properties or trusteeships of Freemasons or "other Friendly Societies be introduced into the discussion, as interfer- "ence with the holdings of Freemasons might aid in staying the hand of "legislation from the desired *immediate action.* Whatever apparent "union exists between the Liveries Companies and the Freemasons under "certain aspects need not be made subject of discussion."

"A chief aim is the demonstrating that the Liveries Companies' "gross perversions and abuses of trusts justify such Parliamentary action "as is *immediately demanded* by the finding of the Commission."

"The jealousies existing between the various Companies are known to "be so great as to render them powerless for defence."

The second confidential circular, with the name of Sir Sydney Waterlow.

This second circular, though shorn of the avowed authority of "Lord "Derby and his colleagues," is nevertheless in some respects a more remarkable document than the one bearing Mr. Warr's official signature, inasmuch as the parties would seem to have fraternized and taken Sir Sydney Waterlow into their confidence. Whether the Honourable Baronet will thank them for the demonstration of affection is a question to be settled between the parties, though few will believe he can intentionally have fallen into such company. Sir Sydney Waterlow deservedly enjoys the respect of his fellow-citizens; and although it may be difficult to divine how he was induced to sign the majority report, yet through any alliance with Beale and his party he would assuredly alienate from himself the support of all high-minded men, should the occasion ever arise for him to seek a position such as the document referred to so flatteringly holds out to him.

The Companies' assailants' antecedents as writers through various channels in attacking the Livery Companies.

The witnesses against the Livery Companies in general may be said to have really been only three persons, viz. :—Mr. Beale, Mr. Phillips, and Mr. Gilbert. Mr. Beale was certainly the chief assailant. He speaks with the greatest confidence and assurance, appeals very glibly to Magna Charta, and brings against the Companies charges of malversation of the grossest kind. All three of the witnesses appear to have been writers in the public papers, or in periodical publications, through which they have endeavoured, and doubtless not without a certain amount of success to create an opinion prejudicial to the Livery Companies.

Mr. Beale is the admitted writer of articles signed "Nemesis," in the *Weekly Dispatch*, and "Father Jean," in the *Echo*. Mr. Phillips admits having written articles which have appeared in various periodicals upon questions which in this Commission are being considered, and that he is the author of letters signed "Censor." These various attacks upon the Companies are one and all couched in the spirit of extreme antagonism, and the statements made are generally, so far as truth is concerned, without any. Never, perhaps, have any public bodies been assailed with greater virulence and with such absence of veracity in the charges. Mr. Gilbert states that he was consulted by some of the guardians of one of the poorer parishes in the City, and asked by them to write a pamphlet upon this subject; and after he had complied with this disinterested request, he wrote some articles in the *Contemporary Review*, *The Fortnightly*, and *The Nineteenth Century*, and a couple of books upon the question.

The worthlessness of Mr. Beale's and his associates' evidence.

With regard to Mr. Beale, looking at his every action and proven unfounded assertions and charges against the Companies, can any impartial person say that he is trustworthy? Compare any of his statements with the returns which have been made by the several Companies, and it can be readily ascertained whether any one of them is in smallest degree correct. The memorandum sent to the Commissioners on the part of the Merchant Taylors' Company will show how entirely he has misrepresented the case of Donkin's Charity; other examples of his and his accomplices' worse than inaccuracies are brought to light through the Commission. With regard to his evidence on the subject of the invalidity of the charters of the several Companies, and of their title to their general corporate properties, it need only be observed that he has shown himself to be entirely ignorant of the law; and with regard to Mr. Phillips' opinion thereon, considering that he is a barrister, attention need only to be directed to his misrepresentation of the effect of the speech made by Lord Selborne in the House of Lords in 1877, and to the correction which he received from the Lord Chancellor in his Lordship's evidence before the Commissioners on the 21st of June, 1882, and it will clearly be seen that correctness is not a strong point with him.

General property of the Companies proved to be private, and not impressed with trust conditions.

The Commissioners are asked by these witnesses to recommend the appropriation by the State, or the transfer to some person or persons (it does not appear clearly to whom), of the general corporate property of the Company. This demand is made on the assumption that the general corporate property of the Livery Companies is impressed with a trust. This is an entirely unfounded assumption. There is no shadow of ground for it whatever; in proof of which there is recorded the opinion of the Lord Chancellor, and the legal decisions which have been delivered from time to time on the subject. The assumption upon which the demand has been made being utterly unfounded, the demand itself falls to the ground, and it is manifest that the property of the Companies cannot be dealt with, or the revenues thereof appropriated, except by an act of confiscation.

It may be broadly stated that none of the Companies received any of

Companies' properties generally created by subscription of members, from gifts, or purchase from the Crown.

their properties by way of endowment from the Crown, or from any person or persons outside the Corporation itself. Their properties were originally created by subscriptions and contributions from amongst the members themselves, and from gifts and devises made to them by members of their own bodies. From the funds so acquired a very considerable portion of their properties was purchased from the Crown, after having become vested in the Crown by the statute of the 1st of Edward VI., and there is no more ground for interfering with such than there would be for the State to dispossess those landowners whose ancestors, after the abbey lands became forfeited, received grants of them from the Crown. If there really be any question as to the right of Companies to deal as they please with their general corporate property, the Companies rightly and becomingly claim that the question be decided by a Court of Law in the due administration of justice, and not by the advice and urging of Messrs. Beale, Gilbert, and Phillips, or other scramble-mongers.

Mr. Firth's misrepresentation as to pretended salaries to Courts of the City Companies.

Mr. Firth in his "Municipal London" speaks of the advantages which a member of the court of a City Company obtains. He remarks upon "the "salary" as if it was one of very large amount. Now, a member of the court, say, for instance, that of the Goldsmiths' Company, if he be neither a warden nor a member of the Committee, were he to attend every court in a year, would receive under 50*l.*

Mr. Firth omitted to add that few of the hosts of Directors of Railways —say the London and North-Western, the Midland, the Great Eastern, and the Great Western, or any others such, or Banks—or the great Insurance Companies of London or Liverpool, are content with any such niggard money acknowledgments for their services. What would a Director of the London Joint Stock Bank, or the London and Westminster, or London and County, or the Liverpool Royal Insurance Company, say to a paltry 40*l.* per annum even for a monthly attendance, apart from often weekly attendances?

The writer then says, "in addition to their salaries they sometimes "find a bank-note delicately secreted under their plates." This slander was shown to be utterly destitute of truth, as will be seen from facts already proved and related, the correspondence regarding which Mr. Warr's memory failed to publish in the official record of the Commission Inquiry.

Mr. Firth further says "*that relations may be educated in the Com-*"*pany's schools and then accommodated with exhibitions in the University*"*free of expense.*"

Facts as to the large number of University Exhibitions of the Goldsmiths' Company.

Many of the Livery Companies are holders of exhibitions at the Universities, and their patronage has never been questioned. The Goldsmiths' Company have established a truly regal number of such exhibitions at the Universities, which are given by competition, and not by favour, and it is stated on the authority of Mr. Prideaux of that Company that he has never known any one who was related to, or connected with, a member of the Court of the Goldsmiths' Company who held one of these exhibitions. What are the facts in regard to these nobly generous seventy-five exhibitions at the Universities presented by the Goldsmiths' Company? If the Royal Commission had been brought into existence with no other result than the having elicited from Mr. Prideaux the unprecedented statement drawn from that gentleman in reference to these more than munificent benefactions, it would have done real and sufficient public service. It turns out that these University exhibitions are divided equally between Oxford and Cambridge. The manner of election to these is, if possible, nobler than the gifts themselves, and is eminently worthy of the generous Company, which, in its

desire to do real good, has possessed itself of such worthy channels of means. Students elected to enjoy the benefits of these exhibitions succeed only by their own merits; favouritism is unknown. Students apply, and after the applications are received, and a day is fixed, closing the time when they are to apply, a list is sent to Oxford and Cambridge, to two examiners at each University, who hold an examination, and send a report to the Goldsmiths' Company, which is at once acted upon. A student who desires to become a candidate for one of these exhibitions must have been in actual residence at his college one term; and, if at Oxford, must have passed the responsions before the time appointed for the return of the petition; and his income arising from preferment at college or elsewhere must not amount to more than 70*l.* per annum, exclusive of the Goldsmiths' Exhibition. Merit developed in examination forms the main element to success in attaining these blessed awards, unrivalled gifts, bestowed in a manner worthy of the beneficent donors. They are tenable for sixteen terms at Oxford and twelve terms at Cambridge, and are awarded solely by competition, modified by a consideration of the necessities of the student and his parents or friends, such as must have taxed the thoughtful minds even of the good Goldsmiths to hedge around their acts of grace and mercy. In explanation, if A. B. stand above C. D. in the examiners' report, and his father have an income of, say 800*l.* a year, C. D. being dependent upon a father in straitened circumstances, C. D. would be preferred to A. B. Moreover, these exhibitions are open to the whole University, and entirely irrespective of any religious denomination. The most friendless stand more than on a par with the son even of the person presumably possessing greatest influence, and if any proof be needed of the disinterested motives of the donors, it is brought out in the remarkable statement of Mr. Prideaux, when under the Commissioners' examination, that a student related to any member of the Company has no preference whatever, and in the long period of his filling his office he did not remember any exhibitioner who was related in any manner to any member of the Company.

If further proof be needed of the more than fairness exercised in dealing with this galaxy of patronage, it may be stated as a fact that, taking the last six years' result, more than one-half the number of the Goldsmiths' exhibitioners have graduated in honours. And yet until the sitting of this Royal Commission no one knew of these good works, done as it were almost in secret, at any rate never paraded before the world's eye. The general public believed that here and there an individual Company may have indulged in the luxury of an occasional University exhibition, but rarely anything beyond. Sense of justice demands a grateful tribute to Mr. Firth for having been innocently and unintentionally the cause of these and other works of national benefit on the part of the London Livery Companies being dragged into light.

Mr. Firth's misrepresentation as to allowances pretended to be made to decayed members of the Goldsmiths' Company.

At page 73 of "Municipal London," Mr. Firth makes the unblushing statement regarding the Goldsmiths' Company:—"It is commonly reported, "with what truth we know not, the pension of a decayed goldsmith is in "some cases as much as 300*l.* a year." Now Mr. Prideaux, of the Goldsmiths' Company, is a man whose word, unlike Mr. Firth, is beyond question, and he denies this statement, which he designates as "utterly "unfounded." It did not, however, need such official denial. The returns submitted by the Goldsmiths' Company to the Commission prove it to be merely one of Mr. Firth's many slanders.

Many of these deceptive statements are repeated in Mr. Gilbert's book, entitled "The City," published in 1877. This writer, moreover, quotes a letter from the *Weekly Dispatch*, signed "Nemesis," and written by his

friend Beale, in which the writer says of the Goldsmiths' Company that "it has a total assumed income of over 150,000*l.* per annum. It hardly need be stated that this is an utter fabrication.

The banquets of the various Livery Companies relied upon as the main bill of indictment against the Companies.

The matter of entertainments or banquets, or what is popularly known as good dinners of the Courts and Liveries, had been relied upon as the main bill of indictment, as it formed a chief feature in the enemy's attack. For years they had been inventing and circulating every possible misrepresentation as to the alleged costliness and extravagance of these receptions. No inventions regarding such were too outrageous for publicity through the columns of papers of the class open to their purposes. Gross falsehoods as to stated frequency of the dinners, and a constant repetition of the base calumny of these hospitalities being paid for out of funds that should have been devoted to charitable purposes, were added to the wildest stories as to the amount so expended. The outside public was almost led to believe in a rivalry of the Sybarite doings imputed in the old song,—

> "The wealthy of Rome at their banquets of old,
> When to those whom they honoured they quaffed,
> Threw pearls of great price in their goblets of gold,
> More costly to render their draught."

Persistent repetition of falsehoods as to such.

Persistent repetitions caused the prevalence among very many that the Liveries' incomes were in a large degree squandered in feastings, and the Companies were credited generally with feasting at least a dozen times for each one such actual entertainment. The ground assumed by the writers, prominent instructors of the Royal Commission, and the sole persons who could be pressed into the service, and who in this instance turned out to be not only prosecutors, but actual witnesses in the case, represented dinner entertainments as being the great points in their existence as of their money expenditure. As proof of these falsehoods, it need only be repeated that Mr Firth, the head and front of the attacking force, and grand marshal of the Commission's miserable array of interested witnesses, writes thus in his "Municipal London," speaking of these Liveries: "*It is said that the Goldsmiths expend more than* 30,000*l. per annum in dining*," and immediately intimates that the other Companies do likewise. It has been shown that Mr. Phillips in like manner never hesitated to make similar declarations; that, to use his own words, their "*votes of money to charitable purposes are neither more nor less than conscience-money.*"

One of the journals in which these writers has conspicuously figured with attacks on the London Liveries, thus speaks:—

"When a Royal Commission shall have gripped the neck of these Companies, it will bring to light an amount of wrong-doing for which no equal can be found. Large charities have vanished altogether, or, rather, have been eaten and drunk up by their Liveries and friends."

A further elegant extract:—

"It will be no more than their rich deserving if the members of the Court of Assistants of more than one of these Companies get a ride to the Old Bailey in the Corporation state van, there to partake of City free banquets."

Loyalty to the government of the day marks these Companies' entertainments throughout their existence of long ages. The Clothworkers' Company, for example, is able to show that in 1659 it expended no less than 200*l.* in a "dinner to General Monk, his friends and officers." The hospitality of to-day is nothing more than a continuance of good habits. The costliness of the dinners, relatively with income, is greatly less in the present times.

Who would presume on the presence at any of these banquets of

characters such as would be, the spoilers of these ancient guilds? The repudiation of men of their ilk is no more marked now than it would have been in days of yore, when to pass the loving-cup to the lip of the traducer and wrong-doer would have been an unendurable abomination. None such have ever wriggled themselves into the positions of Prime Warden or Court Assistant; occasionally a shady character may by deception and misrepresentation get foothold on the threshold, but ultimate ejection was a certainty. There have always been large properties to nurse and protect, noble educational and such-like institutions to foster, the poor and helpless to think for, and with men honestly devoting their lives to the furthering such objects, the modern "redistributor" and "allocator" should find no part. The expenditure in the thirteenth century of 21*l.* 8*s.* 9*d.* upon a single entertainment, the value of money and the amount of the then property, say for instance of the Goldsmiths' Company, which publishes the fact of that amount having been its outlay on one feast in 1307, being taken into consideration, is an outlay which may compare with the costliest entertainment of modern times, and to the honour of most of the great City of London Livery Companies there has from that time down to the present day been a like application of a part of their incomes, in a large degree bequeathed to them for the purpose, and therefore an enjoined duty so to outlay. Their hospitality has been habitual and continuous so as to have become proverbial throughout the civilized world, and is the proper pride of every right-minded Englishman, seeing they have enrolled amongst their members a long array of the most eminent men of all the professions. These and such-like are frequently entertained with distinguished foreigners at their halls, and it cannot be denied that these entertainments afford an opportunity of exercising an influence upon the community at large. The heroes to whom under Divine providence it was given to overthrow the Spanish Armada, the renowned Marlborough, our immortal Nelson, and Wellington our hero and national deliverer at Waterloo, have each made their triumphal entries of the City as mighty conquerors to sit at the tables of these grand old Companies, there to meet and know London's citizens face to face. Statesmen of every age, and without distinction of party, have been welcomed to their hospitalities, and it would be difficult to name a class worthy of any great honour at the hands of their fellow-countrymen who have not through the instrumentality of these Companies been made at home in some one or other of the noble halls that Mr. Firth and his associates desire to wipe out of existence, and, in their classic language, melt down into "hotch-potch."

Any presence of the would-be spoilers at the Company's dinner an abomination to right-minded men.

Britain's naval and military heroes from time immemorial chief guests at such entertainments.

Upon the subject of the prominently wealthy Companies' entertainments there has been the grossest exaggeration; specially is this seen in the publications of the assailants of the Companies which preceded the appointment of the Commission, and which were full of erroneous and prejudicial fabrications. As an instance, one of Mr. Firth's mendacious statements, already mentioned, made in "Municipal London": "It is said that the Goldsmiths expend more than 30,000*l.* per annum in dining, and the Fishmongers, Ironmongers, Clothworkers, Skinners, and Grocers are not far in the background." An examination of the returns of these several named Companies shows that the expenditure on entertainments, including wines, has on an average of ten years been only a small fraction of such amount. Like all and every other statement of the conspirators, it too has burst up and brought obloquy on the inventor. The real facts are very simple. The original intentions of the founders of most of the Companies are clearly shown by the detailed historical returns they have through the Commission made public. The protection of their trade or mystery was one of them; but there can

The various statements in regard to the expenditure in the various Liveries' entertainments gross exaggerations.

be no doubt that there were other objects of a charitable and social character. As existing in the earlier days, they were what the language of their time called "a fraternity." Tricksters and slanderers there were none amongst them; they were guilds of loving brethren, having the fear of God before their eyes; and social enjoyment, together with hospitality in its truest sense, existed among their other objects. If a distinguished dweller in distant regions found his way to the great city, he was sure to be summoned to feast in the halls of the guilds, where he would mingle socially with our greatest naval and military heroes, the most prominent merchants, and the most eminent in science and art called together to greet him. He could not fail to return home becomingly impressed with the country's greatness, but equally so with the good heart governing and inspiring both business and sociality. Now it is a notorious fact that through these City Livery Companies of London there has been, by an unbroken chain of practice, extending through at least five centuries, not only an indefinite and arbitrary, but a very substantial portion of these Companies' incomes applied to hospitality and entertainments. It was always large and generous, as was the original design of the "fraternities," who knew not meanness in either their charities or hospitalities. Entertainments such as those of the Livery Companies not only afford enjoyment to the members of the Companies themselves, but they do real good in bringing together people of different classes and of different opinions. They are truly English institutions, and the difference between the effect produced amongst Englishmen by differences of opinion, on matters of politics especially, from that which exists in the nations of the Continent, may be traced in a great extent to the habit which Englishmen have of meeting together for the purposes of fellowship and conviviality. How eloquently and forcibly at these dinners of the great City Companies have Peel, Brougham, Lyndhurst, Palmerston, Beaconsfield, and Gladstone, in our own day, pointed out the great national good achieved by these Companies through their deeds of hospitality!

Tricksters and slanderers no fitting partakers of such feasts.

Who shall say that the bringing together at the hospitable boards of London Civic Companies the many eminent foreigners who continually grace them has not helped to accomplish for nations, as a society, what individual instances and experiences with so many of Britain's illustrious sons who through long generations as now have been welcomed to the regal entertainments, evidence as their outcome to our own country? May not such cordial greetings have educated great peoples, who in antecedent times have been mutual enemies, to feel for and with each other? May not these feasts have produced in such cases the flower and fruit of that slow-growing plant, international sympathy, benevolence, and benefaction? The occasions that touch the hearts of nations to these finer issues have a mission of true moral sublimity, and rank among the foremost influences which the universal Father of mankind has provided for their moral culture and happiness. One of the first and most distinctive fruits of Christianity was the production of this international sympathy. To melt through the icy boundaries of national selfhood, to perforate them here and there, through individuals, with a duct of kindly sentiment between peoples divided through all their history by multifarious antipathies, and specially as in the case of our Indian fellow-subjects of India's Empress, our ever beloved Sovereign, Victoria; to lift upon grim bulwarks of caste, prejudice, and international alienation that great central doctrine of the Christian faith—the universal Fatherhood of God and the universal brotherhood of men. Truly has it been worthy of London's grand old fraternities and Guilds of love and charity to have inspired in the hearts of men of different race and tongue this feeling of

The entertaining illustrious men honourable to the Companies and the nation.

oneness, rearing it up into a capacity and habit of disinterested and broad benevolence, extending and working beyond limits which the lean charities of pagan civilization never crossed. Does not every God-loving man realize that the bidding prominent men of the Jewish faith to the feasts of the Livery Companies was the one first and chiefest means through which the relief of our Hebrew fellow-countrymen was attained? The great Apostle to the Gentiles took delight into his big heart with the thought of spreading with Gentile contributions the tables of the famished Jewish zealots who reproved Peter for eating bread with one of Cæsar's converted captains! The Jews ate of this manna of foreign sympathy from Macedonia and other Grecian districts gladly and thankfully, and as they ate the scales of hereditary prejudice fell from their eyes. Monarchs and high potentates may make magnificent presents to each other, but these are mere exchanges of courtesy, ofttimes scrupulously equal, and, it is to be feared, frequently nothing beyond mere expressions of selfishness instead of benevolence. The having been entertained in the grand halls of our great City Livery Companies has to many of our Indian distinguished fellow-subjects, as to like classes of our brethren in Canada, New Zealand, Australia, and the many other British dependencies, ofttimes been the first tokens of good-will that any community of common men of one country can give, as in the case of India, to men of another and different race, though subjects of the same sovereign's rule, or to the illustrious guests dwelling in our own colonies, or to the representatives of other nations and sovereigns. Such germs of international sympathy and benevolence may seem slow in their process of foliation and flowerage, but who shall say what fruits they may not have borne in the extension of England's commerce? Taking even this last-named mean and selfish view of the effects of our great Civic Companies' feasts, who can measure the amount of their contribution to the country's mercantile greatness?

These occasions in past days a leading means of Jewish emancipation through their presence at their feasts.

It is felt derogatory to this volume, as to its readers, to reprint any of the many vile slanders of its enemies applied to the various Livery Companies. However much they defile these pages, duty calls for the reproduction of a few. One extract thus refers to the banquets:—

"Nothing can be more disgusting than the condition of the Companies' halls after these their weekly orgies."

It was reserved, however, for Mr. Firth to deliver himself of the following gratuitously insulting remark, made before the Commission itself. Apart from its utter untruthfulness, daring impertinence could go no further. He is made to say to Lord Derby, Chairman of the Commission,—

"A dinner at Goldsmiths' Hall is not a very elevating sight, and I think that the emptying of the halls is a still less elevating sight."

Any of the thousands of the distinguished men of almost every country and clime in the known world who have been honoured in presence at dinners of London Livery Companies, know full well that these entertainments are in every aspect and feature worthy of the hosts, and are one and all conducted with as much decorum as any dinner of any true gentleman in the world. Long lines of English sovereigns have honoured the Liveries with their august presence, so also have emperors and sovereigns of every European State. It is Mr. Firth's province and worse than questionable taste to heap insult on the entertainers as well as on their illustrious guests.

Shakespeare has recorded,—

"His only gift is in devising impossible slanders."

CHAPTER III

Greatness of the prize offered the freebooters in spoliating the Companies—Freemasons' Societies marked as next objects for attack—Too faithful discharge of duties reason of attack on Livery Companies with view to plunder—Lord Chancellor Selborne testifies before the Commission—His Lordship declines to entertain any question of redistribution of the City Companies' funds—The several Companies' adhesion to the cause of supporting Technical Education voluntary—The Lord Chancellor replies emphatically and decisively to crucial question as to the various Livery Companies' properties being strictly private ownership—His Lordship repeats declaration that the Companies' control of their properties is absolute—The Lord Chancellor's assurance that the Courts of Assistants' attendance and conduct of business eminently thorough, and that the fees received are in no way gifts or dividends—His Lordship asserts that no sums of money are ever divided among the Courts of Assistants except for business attendance—Emphatic declaration of the Lord Chancellor that no General Charitable Trust exists upon the charters of the Mercers' Company—Firth's discomfiture and utter breakdown—The Grocers' Company's Laxton (Oundle School) case; Lord Langdale's decision thereon——The Kneseworth case of the Fishmongers' Company—Herbert's case from his work on the twelve great Companies.

The greatness of the prize offered to the freebooters' eye. None but the conspirators could be induced to testify against the Liveries.

It must not be lost sight of that if the second private and confidential circular, bearing the frontlet mark of the same would-be spoliators as assisted in the birth of number one, and which without any authority used for designing purposes Lord Derby's, certain of the Commissioners', and the Lord Chancellor Selborne's names emanated and was issued from the same source at a moment of perplexity and with a view to goad the seemingly tardy editorial help, it points to the Freemasons' confraternities as early objects for like dealing as is proposed for their brethren of the ancient Guilds. Surely the Livery Companies were enough for even the most rapacious? Intended purposes of these kinds are never openly avowed at first inception. There needs to be the usual preliminary gentle dalliance. The conspirators against the London Liveries dared not in early dawn of their intent deal other than tenderly with so great a matter. Many millions were at stake. It was the grandest prize possible of revelation to the eye of modern freebooters. The thing was unique. None but the very ablest men should have embarked in the errand of aiming at its possession. It needed great ability and such an absence of truth in the composition of the individual as is rarely found. None but adepts could possibly be squeezed through the very narrow apertures of the class of society requisite to set the machinery in motion. All seemed to work with tolerable smoothness up to the point of witnesses before the Commission, and here an utter breakdown manifested itself. Not a single person could be induced to testify against the Companies save the promoters of

the agitation themselves, and two or three individuals, who to air paltry grievances of their own had been driven to the front. Having arrived so far, it became needful to seek outside for help, and in doing this calamity fell on the heels of the spoilers. In their dilemma of appealing for newspaper sympathy, a designed plot against the Freemasons is confidentially disclosed in mere outline. Nobody is to know of it, but everybody may be well assured it is none the less crafty or determined, and the various bodies of Freemasons need to mount extra guards on their citadels, for the enemy, they may rest assured, is at hand.

Freemasons' Societies designated as the next objects of attack. Bonds of sympathy between the London Liveries and the Freemasons.

Examination into the Freemasons' past discloses the fact that there were bonds of more than sympathy between the Freemasons' societies and the several fraternities of the London City Guilds in the olden days. All were loving societies recognizing human brotherhood as their great bond of union, and this sacred tie has been perpetuated until now. To assist the brethren in time of affliction, when their little business worlds may cease to yield the rewards of success, was their chief aim, each recognizing the hand of the Almighty in these dispensations, and for this sanctified purpose all who could, contributed liberally of their substance to found fraternities corresponding in more features than one with the City Liveries of England's Metropolis. And with what dignity does not history relate them as bearing themselves in all times of trial and persecution! We can only trust that the solidity evidenced in Masonic life through long-past ages may continue as the buildings they are known to have reared. From Solomon's Temple in remote ages, and in the cathedrals, palaces, abbeys, and halls of the middle ages, their signet-mark is easily to be found on special stones well and truly laid, and whose whereabouts can be traced by the good mason who knows the secret of where to seek it. In common with our own ancient Guilds, they have ceased to have exclusive connection with masons' work of building; but like them, they are now societies of benevolence and charity. Their provincial lodges all contribute to the Grand Lodge, which on its part organizes and distributes the charities. Working masons who hold on to their connection with the society are relieved from the Masonic funds should the world in its business aspects frown upon them. How close then is the resemblance between the Freemasons and the City Liveries, not only in the fact that neither can be said generally to follow the crafts of their days of origin, yet both inherit moneys transmitted through their respective founders, and each continue their functions of brotherly love and charity, and prosecute the same in our present day with real devotion and singleness of heart. The spoiler of one would, we may be assured, be the willing distributor from the coffers of the other. Each has the same enemy to keep at bay, for has he not secretly made known his desires when prosecuting his efforts to seize the treasure-house of the first hoped-for victim? The Freemasons generally will be on the alert. The cause of their brethren of the London Liveries is too just and too strong to need more than their sympathy; this the Freemasons will heartily extend to them, the ancient Guilds, their associates through long ages past, and with whom there must be tie and bond such as cannot exist with any of new-born histories. Looking into the properties and incomes of the Freemasons' societies, it will be seen that the Freemasons are holders of no small possessions, and that their charities are noble. The three English Masonic charitable institutions, which are supported by the voluntary contributions of lodges, chapters, and individuals, together with contributions from Grand Lodge, Grand Chapter, and other Masonic bodies, received up to the time the office doors closed on the 31st of

December last, show the total sum of 48,747*l.* 5*s.* 1*d.* for the year 1884. Of this amount the Benevolent Institution, which grants annuities to aged Masons and Masons' widows, received 19,824*l.* 15*s.* 2*d.*; the girls' school, 14,928*l.* 19*s.*; and the boys' school, 13,993*l.* 10*s.* 11*d.* During the last nine years the Benevolent Institution has headed the list six times, and, with the exception of last year, when the boys' school, by an extraordinary and special effort on its behalf, received over 25,000*l.*, has succeeded this year in obtaining the largest amount ever received in one year by any of the three institutions. In the same year the Board of Benevolence, which meets once a month, voted 9252*l.* to indigent Masons of all nationalities, and the widows and orphans of deceased Masons; but in doing so they exceeded the income of the fund of benevolence by about 2000*l.*, for which sum they had to draw on the capital of the fund. "Charity Universal" is inscribed on the banner of the City of London Liveries' Guilds; a glance at the benefactions of the Fishmongers' Company, printed in this volume as fairest and best exemplification of the deeds generally of the various Companies, shows how faithfully it is carried out. Each proportionally with their means disperses abroad, not only to their brethren of the Guild, but without stint wherever they deem help to be most needed.

Too faithful discharge of duties the reason of the Livery Companies being objects for attack and plunder.

Englishmen are not altogether unfair in their judgings, and will ask the question why should the properties of the London Liveries be exposed to the envious eye of a class of men casting about for possible prey, such as in this instance is inquired into with admitted intent of exceptional action? Undoubtedly, the prize is one so great as to be almost beyond the hoped-for clutch of the least conscientious, but it should in all honesty have none the less national protection. Every honest man will demand to know why it is that property which is proved to give such hearty pleasure and admitted practical advantage to so many thousands of persons should, in spite of the seeming protection of the law, be so much more in danger than property such as that owned, for instance, by his Grace of Bedford, one of the Commission who appends his sign-manual to a mode of dealing with the Liveries' possessions he would repudiate as utterly unwarrantable in self-application? It is not impossible or even improbable, that in his case the property administered by the noble owner yields but moderate satisfaction to him as the solitary possessor. There is but one reply to the cogent question, and it is forcibly impressive. The Companies that have passed through the ordeal with so high credit to themselves as faithful executors of noble trusts have placed themselves in jeopardy, not by using their great possessions ill, but by a too faithful discharge of solemn duties; by exercising prudently and beneficially the right of use; by neglecting that which alas! is too commonly the case, the right and means of abuse. This, and this only, is the real charge truthfully appertaining to their case. It is false to assert that the persons composing these public bodies are the chief beneficiares. The only considerable benefits any of them derive from their presumed wealth are indirect and contingent. The utmost that Messrs. Firth and Beale, at whose instigation their rights have been questioned, have been able to prove, is that if one of them fell into misfortune without fault of his own or through mismanagement of his worldly affairs—not seriously blamable, he is provided for by his Company. Do not the Foresters and Oddfellows aim to approach them in this noble feature of human fraternity? The Livery Companies are living channels and instruments of handing down for our example the loving protectiveness of bygone days, when men were less selfish than

now, when the heaping up of riches for individual gratification and supposed enjoyment was less practised than in our time. Millionaires were few in those days, now they are plentiful as blackberries. Well will it be if these realize that great riches have proportionate duties and responsibilities; at any rate, let us not busy ourselves in dispersing that which they for loving charity bequeathed, and which faithful stewards, in an unbroken line to our own generation, have with such earnest zeal and uprightness watched over and protected.

The Lord Chancellor of England, the Earl of Selborne, under examination of the City Livery Companies' Commission.

The Lord Chancellor was brought under examination on the tenth day of the Commission receiving oral testimony. The first portion of his lordship's evidence was given in his capacity as representative of the City Guilds' Technical Institute, owing its origin and maintenance to the City Companies. After having, in conjunction with Sir Frederick Bramwell, F.R.S., his lordship's colleague in the Technical Institute management, fully explained its origin and maintenance as arising with the City of London Livery Companies, the Lord Chancellor was addressed by the Earl of Derby, as Chairman of the Commission:—

"I suppose we may take it that the object of this deputation is two-fold, that in the first place you wish to bear witness to what has already been done by the Companies and by the Corporation in aid of technical education, and in the next place that you wish to indicate a purpose to which the funds of the City Companies might be more largely applied, in the event of there being any interference with their distribution by the State?"

It was evident that the Commissioners, in their programme of interrogatories, were desirous of setting off at a pace somewhat too fast for the learned Chief of the Realm's law. The Lord Chancellor replied, "I do not think that I can say yes to that question. I do not think our views have extended in the least degree whatever to that second object. We, of course, are totally ignorant of what the Commission may think it their duty to do or to recommend, but we have had no object in coming here to-day, except to inform the Commission of what has been done, in compliance, as we understood, with the wish of the Commissioners."

This reply did not seem as encouraging as certain members of the Commission had hoped; accordingly the Earl of Derby, who, as Chairman of Quarter Sessions in Lancashire, has had many years' experience in examination of witnesses, gently opened a somewhat indirect approach to the Lord Chancellor's citadel in his query, "Then I will put my question in another way. I presume that one of your objects in coming here is to show what has been done for technical education, and to guard against the possibility of less being done in the event of any redistribution of the City Companies' funds?"

The answer to this question is just what his lordship and every other man of sound sense must have known would be given by England's Chancellor, or any other great law authority. Lord Selborne, with some little warmth, replied,—

His Lordship declines to entertain any question of Redistribution of the City Companies' funds.

"*I decline to contemplate anything which may be done in the way of Redistribution of the City Companies' funds.* It is not at all for me to anticipate any opinion or judgment which may be formed on that subject. If I am permitted to say so, I see that a gentleman who has appeared before this Commission has referred to a speech which I made in the House of Lords about the Inns of Court, as if it were to be inferred from that that I thought that Inns of Courts and the City Companies were *in pari conditione. I do not think so at all. The reasons that lead me to think the Inns of Court a public institution have no application whatever to any Company, or, at all events, to the only*

Company I know, that is, the Mercers' Company, not the slightest. Therefore I decline to enter into any question of redistribution at all."

Lord Derby, evidently desirous of impressing the strictest impartiality, in an assuring manner stated, "The Commission, I may say, have not expressed any opinion upon that subject?" a remark met with a dry, but not less significant, "Oh! no!"

The several Companies' adhesion to the cause of supporting Technical Education shown by the Lord Chancellor to have been voluntary on their parts.

Lord Derby then said, "I think we may take it, from what you have said, that when the movement among the Companies for technical education was begun, it was a purely voluntary one on their part, and absolutely unconnected with any apprehension of interference from outside?" To which the Lord Chancellor replied,—

"I think the dates I have given will show that that is so. Nobody can possibly speak as to other people's minds; but the fact that the Clothworkers' Company began this movement (on their part, at all events) in the year 1873 will show, I think, that it was begun at a time when no propositions were before the public affecting the status of the City Companies. It is impossible for me to say that that was so at the time that the Institute was formed, because, in point of fact, a motion was made in the House of Commons at that time, or about that time, upon the subject. My own judgment was not influenced in the least degree whatever by that circumstance. *I have always* thought that the City Companies, assuming them to be (*as I believe them to be in law*) *absolute and perfect masters of their own property, as absolute and perfect masters of their own property, as distinct from that which they held on trust*, could do nothing better with their property than promote objects which were in the public interest, and my judgment, in co-operating with this undertaking, was entirely uninfluenced by anything which was suggested in the way of interference."

At this point the Chairman of the Commission put the crucial question, "*Are we to take it from you that the City Companies are entitled to their property in the same manner and as fully as a private owner would be?*"

The Lord Chancellor replies emphatically and decisively to the crucial question as to the various Livery Companies' properties being strictly private ownership.

Met in a manner, and with a distinctness worthy of the great lawyer. "*In point of law they are, in my opinion, absolutely entitled to it, and under no trust whatever.* It will, of course, be understood that I do not speak of estates which have been given to them on any special trusts. Morally, I do not think that I, as a member of a City Company, should choose to be a party to using it in exactly the same way as I should use what was my own as an individual."

Lord Derby next put an equally vital question to the distinguished witness, thus, "You acknowledge a greater moral responsibility to the public than in the case of private property, but not any greater legal right?"

"That is my impression," replied the Lord Chancellor, emphatically continuing, "I do not know that I can express it much better. *They are ancient institutions; the funds, which I call their own property, were derived, as far as my knowledge extends, from their own subscriptions, and gifts by their own members and others, intended to be for their absolute use;* and, although I do not think the present generation ought to put those gifts into their pockets, yet, on the other hand, *I cannot admit for a moment that they are upon the footing of public trusts.*"

Lord Chief Justice Coleridge here came in with the very pertinent question, "I should like to ask the Lord Chancellor whether he draws any distinction between an ordinary natural person and a person like a corporation created by law?"

The Head of the Law met the Lord Chief Justice's important query with the decisive answer: "There is that distinction undoubtedly, and

it is not very easy to measure precisely the influence it might have upon one's judgment; but I assume that Lord Coleridge would not be of opinion that if a club, for example, were incorporated, its nature would be substantially changed; or I should think that a joint stock company is to be regarded as public, because it is incorporated."

Mr. Pell, another of the Commission, here made an important interrogation, thus, "I think you said that, with respect to *the Corporation property it was not subject to any trust, and that the control of each Company over that property was* absolute; is that so?"

The Lord Chancellor again boldly asserts his conviction,—

"I know no legal limit to it, or equitable limit, in the legal sense of the word equitable; but they have never, to my knowledge, used it, except for their hospitalities or for their own management expenses, and for the relief of the wants of their poorer members, and for various charitable and useful public purposes. What I mean is this, that I have never heard of a dividend being made of the property of the Company; it may be so in some cases, for anything I know, but I never have heard of it, and certainly it is not so in the only Company with which I am well acquainted."

The Lord Chancellor repeats his declaration that the Companies' control of their properties is absolute.

"*Judging from what I myself have seen in the Court of Assistants of the Mercers' Company, I am bound to say that the gentlemen there attend in the way of business, do the business, are attentive to the business, understand it, and take an active part, both in promoting good objects, and, if there is a difference of opinion, in checking those which they do not approve of, so that it is not by any means, according to my experience there, a case of nominal attendance and payments for them. It is real attendance, and real attention to the business.*"

His Lordship's assurance that the Courts of Assistants' attendance and conduct of business is eminently practical and thorough; also that the fees are in no way gifts or dividends.

Mr. Pell, pushing for further light on this point of attendance fees to such members of the general courts who attend the general courts, and to all the members of the Courts of Assistants, which are numerous, elicited from the Lord Chancellor the following important reply as to the consideration for which the fee payments are made.

"*It is upon the footing of attendance fees, and not upon the footing of dividend.*"

Pressing this matter of fees received, Mr. Pell demanded to know whether the sum granted is commensurate with the services rendered?

The Lord Chancellor's reply was, "That is a matter of opinion. If they are at liberty to use their money by doing anything they please with it, giving it away in any manner they like, the allowance of attendance fees (*which do not certainly exceed those allowed to Directors of a great number of Companies*) *does not seem to me to be a thing with which they are to be reproached.*"

Mr. Firth here interposed with what he hoped to be a posing question; the reply he met is overwhelming.

"I never heard," said the Lord Chancellor, "of sums of *money being divided in any other manner than as attendance fees for actual attendance to those who are present, and take part in the meetings and in the business; and I do not believe that one shilling of it was ever otherwise used.*"

His Lordship asserts that no sums of money are ever divided among Courts of Assistants save for business attendances.

Again Mr. Firth comes to the point with what he doubtless intended as an exhibition of his legal acumen, but with a result showing his utter ignorance of English law.

"I should like," said the spoiler, "to ask you this question, if I might. The charters of the earlier Companies confer powers of holding land in mortmain; many of them express that the incomes of those lands are for the purposes of sustaining the poor; would you say that those lands are not now impressed with the charitable trust?

Here was the gist of the whole matter so far as seeking to place these properties on the ground of public charities held only in trust, and shrewdly enough was it put to the distinguished witness.

What was the Lord Chancellor's answer?

The Lord Chancellor declares that no general charitable trust exists upon the charters of the Mercers' Company.

"I really should not like to answer a question of law as to a matter with respect to which I do not know the facts. The charters of the Mercers' Company, which I have seen, show that the Company was formed for the purpose of mutual benefit, and, no doubt, for the purpose (which I believe they have always carefully attended to) of assisting their poorer members when they fall into necessitous circumstances, but *any general trust upon those charters* for charitable purposes I am quite *satisfied does not exist.* I cannot speak of other Companies of which I know nothing."

Here then occurred the complete break-down of the Firth, Beale, Gilbert, and Phillips case. To draw an admission from the highest legal authority in the realm that the charters granted to the Companies, conferring powers of holding land in mortmain, and in certain instances expressing that the incomes of those lands are for the purpose of sustaining the poor, and were "impressed" (mark the smooth, cunningly-devised term of mere impression) with a charitable trust, would have been the insertion of a wedge of the highest importance; but to be met with the Lord Chancellor's declaration—

"*Any General Trust upon those Charters for charitable purposes I am quite satisfied does not exist.*"

brought the whole communistic structure to the ground, not, however, without a final effort, distinctly enough put, but as firmly and emphatically repudiated and denied by the great authority.

With his mind and appetite whetted to a possible early clutching a golden prize, such probably as the Mercers' Company's properties, Mr. Firth, under his discomfiture, hazarded a positive case, and was so injudicious as to introduce and submit the vital instance of the charter granted to the Mercers' Company by Richard II.

Firth's discomfiture and utter break-down.

Falteringly Mr. Firth brought forth his last arrow from the quiver of missiles provided and stored up for discharge against the City Companies. The bow-string was tremblingly bent, though the question was tolerably free from dissimulation. Turning to the Lord Chancellor whose dignified presence and clear answers had brought so much grief on the unhallowed redistribution cause, Mr. Firth thus brought his interrogations to an end.

"*Would not you say, with regard to the charter of the Mercers' Company, 17th, Richard II., that that was an incorporation for charitable purposes?*"

"*No, I should not.*"

The enemies of the City Companies clearly recognized in these four words a reply fatal to all their hopes.

It is no part of duty in this endeavoured vindication of the Companies to fill its pages with citations of law cases. It is a remarkable feature in the historics of the Companies' lives and acts, extending through many past centuries, that they seem generally to have kept out of law. Most right-intending, good-pursuing people do. There were Solons in the days of these foundations, and their successors of the time of the immortal Bard of Stratford appear to have realized what Dick the Butcher says to Jack Cade,—

"The first thing we do, let's kill all the lawyers."
2 *Henry VI.*, Act iv. Sc. 2.

The legal points in the Companies are as strong as law, right, and justice can render them, and it may be said that the case for confiscators is as weak as any could possibly be. They come forward with an openly-avowed purpose of stealing and making into "hotch-potch." Sir Hardinge Giffard's—the late Solicitor-General—statement of their case has not a particle of exaggeration. It is simply the garotter, minus the throat part, though it is by no means certain that even this part of the performance would be left out if needed to be resorted to in a quiet corner. The hotch-potchers make no distinction between property held for corporate purposes and that held upon trust for external objects. Neither do they make any allowance for the variety of the Companies' original objects, nor for the fact that they spend substantial amounts on external objects of public utility. They do not take into any account in advancing claims for Mr. Firth's clubbist, communistic constituency, that such claims are as weak as water as against the Irish lands of the Companies, and not a whit stronger against English lands not in London. And yet these very lands form a large item in the possession part of the case. Mr. Phillips professes to be a barrister; it is to be hoped, for his clients' sake, his briefs do not relate to cases bearing on such points. He ought to know that as regards corporate property the Companies direct the mode in which it shall be applied without any legal control; and that the same is on any view of the Companies' obligations applicable to their various purposes of application, without specific appropriations of any portion of it to any one purpose.

Legal cases advanced by the Companies strong as law, right, and justice can render the same.

Instead of holding out to the metropolitan electors what a wondrous avalanche of possessions he purposes wringing from the City Companies and showering among his supporters, Mr. Firth, if he were a truthful man, would say to them, It is a hopeless task our further trying to plunder the City; the Companies have rights of which we can never dispossess them. He should explain to them the Laxton case, which may be thus simply put: In the year 1556, one William Laxton, a good, honest, God-fearing member of the fraternity of Grocers, who had been knighted by his sovereign, probably being minded that the youth of the future should enjoy better and more lore than was his, was minded to erect a school in his native little town of Oundle, from whence he, Whittington like, had in boyhood trudged to London. He also wished to found an almshouse for such of the weary and faint ones as had fallen out in the march, remembering that all may not get his good luck in the race, and that others may have been denied that most blessed of privileges, the care of parents or near relatives, so also some would be found who had become footsore and necessitous laggards. To make sure of this school and almshouse being founded, he devised lands to the Grocers' Company. In his will he stated that he had agreed with the Company, and had set out to them certain lands for the payment of the stipends of the schoolmaster, usher, and poor men, and for the repairs of the buildings. His directions to his brother Grocers were, that they should obtain an ol guild-home at Oundle, and employ it as a school and almshouse; that they should provide a schoolmaster and an usher; that they should pay the schoolmaster 18*l.*, and the usher 6*l.* 13*s.* 4*d.*; that they should pay to seven almsmen 1*s.* 6*d.* weekly a-piece, and 1*l.* 4*s.* yearly for the maintenance of the house. At Grocer Laxton's death the rental of his lands was 50*l.* a year; the payments specified in his will amounted to 38*l.* a year; consequently there was at the time of his death a then existing surplus of 12*l.* per annum, of which he said nothing. Why need he? He, good man, knew full well he was in the hands of his loving brethren of the Grocers. The Firth and Beale "hotch-potchers" were then not on

The Grocers' Company's Laxton (Oundle School) case; Lord Langdale's decision thereon.

prowl. The question raised in the important suit in 1843 was whether, when the property had enormously increased in value, the Company were bound to apply the increase, or a portion of it, to the charitable uses. It was held that they took the surplus as their corporate property, and were not bound to make more than the specified payments in support of the school and almshouse. Now it is shown before this Commission that the gross rental of the Laxton property amounts to over 4000*l.* per annum. But in strict law they are only bound to make the specified payments amount to 38*l.* Lord Langdale in deciding the Laxton case, said that on the construction the will ought to receive, the income "*belongs as private property to the Company.*"

The confiscation-mongers when addressing their clubs, or rather their one-sided audiences, tell them of these disparities between receipts and expenditures, omitting to mention that the Grocers are honourable, God-fearing men, and that, though sticking to their rights, yet they are doing what would astonish their old brother Laxton, were he alive, as it does themselves. They have established schools at Oundle and other places worthy of the manner in which the Almighty has blessed the increase, and that, as elsewhere named in this volume, they are intending far greater things in the future.

It may help the hearts and create a conscience in the Gabber Club tribe of freebooters, to make a pilgrimage to the quiet old town of Oundle and see what the slandered Grocers are doing there. It is the good habit for members of the Court now and again to visit the schools and see for themselves that all is going on as brother Laxton would desire were he in the flesh. He does not repose in the peaceful churchyard there, so that the agitators, if minded to take a look at the new schools close alongside, need have no fear of the good old knight's ghost appearing in troubled spirit at their visitation, though probably the prescient rooks tenanting the trees would be cawing witnesses of doubtful company being on hand. It may not be amiss in them to break through their re-distributor's rule as to doles by a remembrance to the old almsmen; these look forward to "Court visits,"—a loving coin of gold being ofttimes a refresher, marking the occasions as red-letter days in the calendar of the aged ones.

Firth and his comrades are good at pandering to the tastes of a comparatively few noisy "three tailors of Tooley Street," who constituted themselves into being "the people of England." The allocators and spoliators, forgetting that law and justice are not yet extinct among us, omit to tell their friends of the judgment in what is known to lawyers as the Kneseworth case. Kneseworth had devised lands to the Fishmonger's Company in the year 1513 for the purpose of obits, anniversaries, masses, and beads men and aid to prisoners. In the year 1550 the City Companies purchased from the Crown all the property which in their hands was affected with what was known as "superstitious uses" and was on that account forfeited to the Crown. The Attorney-General claimed Kneseworth's lands for the charitable uses of his will, but Lord Langdale ruled that, with the exception of a trifling rent-charge for aiding prisoners which had always been paid, the whole property had passed to the Crown, and so *back to the Company, free of those uses.* The broad result of these and other decisions in cases that have been submitted to the courts, is that apart from statutes, both civil and ecclesiastical corporations were free to deal with their property uncontrolled by law; that in one case the members of a guild, with no public objects and no objects defined by charter or public rule, were held entitled to take the money of the guild; and that in many cases it has been decided that particular lands given

The Kneseworth case of the Fishmongers' Company.

to City Companies are a part of their general corporate estate, and not charged with the specific charitable trusts mentioned in the instruments of gift.

As already named, the writer of this attempted vindication of the Companies from the attacks and purposes of the spoiler is no lawyer, yet as a law-abiding citizen he endeavours to look the matter fairly in the face. Herbert, in his work on the twelve great Companies, sets out a document entitled, "A Particular Note of such Charitable Good Uses "as are performed by the Twelve Great Companies of London out of "such rents as they purchased of King Edward VI." Here is one of the accounts set out by the Grocers:—

Instance referred to by Herbert in his work on the twelve great Companies.

	£	s.	d.	
Purchased of the King in Rent . .	86	8	0	
Sold tenements to buy same . . .	65	2	4	
				£151 10 4
Payments yearly out of the rents purchased:				
In pensions to four decayed brethren .	30	0	0	
In exhibitions to scholars . . .	15	6	8	
Towards maintenance of a school . .	10	0	0	
In alms to poor	50	0	0	
				£105 6 8

And Herbert quotes a passage from Strype, who, speaking of these re-purchases, says, "Which possessions, when they had claimed them again, they employed to good uses, according to the first intent of them, abating the superstition. Those lands were re-conveyed to the Companies by letters patent in the year 1550. Some doubts being afterwards raised as to the completeness of their conveyance, it was found worth while to procure an Act of Parliament in the year 1607. This Act recites that the Companies had enjoyed the lands and "employed them to the comfort of many good subjects and great relief of the poor and other good and charitable uses."

CHAPTER IV.

Mr. Firth's indictment against the Livery Companies summarized into nine propositions—The entire nine disproved and refuted—General beneficence and management the highest evidence of the Companies' observance of trust responsibilities—Goldsmiths' Company's, as the other Companies', test of their charities expenditure having grown more than proportionably with their increasing wealth—The Goldsmiths' Company's holding of seventy-six exhibitions at the Universities—Firth's misstatement as to craftsmen's associations with the Companies—His false assertion as to the properties of the Companies being leased to members for purposes of individual gain—Mr. Prideaux, of the Goldsmiths' Company, disproves this charge of Firth—Mr. J. R. Phillips' antecedents as a writer opposing the Companies—His proposal to realize the Companies' entire properties and convert into "hotch-potch"—Notwithstanding every effort, witnesses against the Companies unobtainable—Such as appeared were examples interested through prior disputes—The Mercers' Company's regal expenditure on St. Paul's School—Its founder, Dean Colet, a wise believer in the Mercers as his executors—Mr. J. H. Warner and Mr. W. Ruck, of the Grocers' Company, before the Commission—Mr. Warner's evidence—Mr. Firth has a keen eye to cash balances—Froude's definition of the City Guilds—Modern London and provincial clubs in no respect analogous with the old City Companies

Mr. Firth's indictment against the Companies summarized into nine propositions.

In his work "Municipal London," Mr. Firth sums up his case against the Livery Companies in nine propositions, all of which are either partially or entirely unfounded, except so far as they contain matter of opinion.

The first proposition is that the "Livery Companies are an integral "part of the Corporation."

This is directly contrary to the decision of the Judges delivered in a Judgment in Error in 1775, which reversed the disfranchisement of Mr. Alderman Plumbe upon a prosecution of the Common Serjeant in the Lord Mayor's Court, for refusing to summon the Livery of the Goldsmiths' Company, of which he had been at the time Prime Warden, to attend at Guildhall to hear his Majesty's answer to the humble address and remonstrance of the Corporation of London, in the Mayoralty of Mr. Alderman Beckford; on which occasion Lord Chief Justice De Grey is reported to have said:—"Thus far we know that the constitu-"tion of the City of London does not contain these Companies. I mean "originally and from their charters and all prescriptive rights; it is by "subsequent action that they came now to bear the relation they do to "these Companies as Livery. The Livery are not formed out of their "Corporate Body, some of them are supposed to have existed immemo-"morially. They are not created by the King, but if it was a grant "from the King they are not essential to the constitution, but might "exist independently of it; therefore, whatever their constituent parts, "their obligations, duties, powers, customs, and rights are, either as "all together or as individuals, they are no part of the City Customs, but

"a subordinate, detached, and independent body—I mean independent "with regard to their original institutions." And in another part of his judgment the Lord Chief Justice says:—"Much less have we judicial "knowledge of the particular subordinate rights of Fraternities, Com- "panies, and Guilds which make a part of the City, though not a part "of the Corporation of the City originally, nor of their subordinate "power, duties, and offices."

Will it be believed that Mr. Beale in his evidence before the Commissioners has actually represented that the judgment was in favour of the Corporation instead of the Goldsmiths' Company? The whole nine disproved and refuted.

Never has effrontery been carried further.

When before the Commissions, he was asked by Mr. Firth, "Have "you read the decision in the case of the Refractory Companies in 1775, "when between the Corporation and the Goldsmiths' Company the "question was contested?" To which he answered, "Yes." He was then asked, "What was the effect of that decision?" To which he replied, "The Companies were found to be in the wrong, and that they were an "integral part of the Corporation, and it is fully set out in 'Municipal "London.'" Referring to "Municipal London," p. 43, in a note it is stated that in the case of the trial of the Refractory Companies in 1775, "the Warden of the Goldsmiths' Company was successfully prosecuted "in the Mayor's Court for inattention to a summons to Common Hall on "other than election business."

The truth of the matter is that an information of disfranchisement was filed against Mr. Alderman Plumbe in the Mayor's Court, and a verdict given for the plaintiff. The defendant obtained a writ of error, and the judgment was reversed by a Court of Error on the occasion above referred to. It is manifest that if Mr. Beale's evidence, and the statement in "Municipal London," had passed unnoticed and uncorrected, the Commissioners might have been entirely misled.

Before the year 1835 no person could be admitted to the freedom of the City who did not belong to one of the Trade Companies, but by a resolution of the Court of Common Council of the 17th of March, 1835, this condition was repealed, and it is no longer necessary that a freeman should be a liveryman, or a member of one of the City Companies.

The first proposition of the author therefore is proved to be entirely unfounded, and is directly contrary to a legal decision cited by him in support of it.

The second proposition is, that "The property is public trust property, "and much of it is available for municipal purposes."

This is abundantly shown to be unfounded.

The third is, "The Companies are Trustees of vast Estates of which "London Tradesmen and Artisans ought to be the beneficiaries, but such "trusts are disregarded."

This is untrue, for all the trusts reposed in the Companies have been faithfully fulfilled, and the Companies' enemies have failed in every attempt to show to the contrary.

The fourth proposition is, "The Companies are also Trustees of "Estates applicable to charitable uses. They fail to apply to such uses "the funds fairly applicable to them."

This, again, is untrue, provedly so by the report of Mr. Hare, one of the Charity Commissioners, fully endorsing the Companies' general and fair dealings with their various charities brought under the notice of the Charity Commissioners.

The fifth proposition is, "The Companies were incorporated to benefit "trades, to restrain artisans, and to repress bad workmanship. They "perform none of these functions."

Many of the Companies, notably the Goldsmiths and Fishmongers and others, perform all these functions at the present time. They are entrusted by statute with the supervision of the trade, and they help to train artisans by offering prizes for excellence in the design and execution of works in the precious metals. The Fishmongers did a great work at the Fisheries Exhibition held at South Kensington in 1883.

The sixth proposition is, that "The Companies are by charter to be "composed of members of a given trade in many cases, and are legally "compellable to admit members of it. They admit members irrespec- "tive of trade, and impose restrictions on those who are admissible." What is the fact? There is no law which would compel the Company to admit any person a member of it, unless he were entitled to become a freeman by servitude or patrimony; and that they have admitted members, irrespective of trade, from time immemorial, is notorious.

The seventh proposition is, that "The Companies are subject to the "control of the Corporation; but as the members of that body are "members of the Companies also, and are promoted in the latter con- "currently with their advancement in the former, such control is never "enforced." That some sort of control was exercised by the Corporation in ancient times there is no doubt. It has long ceased to be exercised. The Municipal Corporation Commissioners, in their Report of the year 1837, say unreservedly, "*The Corporation possesses a very slight, indeed hardly "more than a nominal, control over the Companies.*"

The eighth proposition is, that "The Companies are subject to the "control of the Crown, and their lands and monopolous privileges were "only granted on condition that they performed certain duties. They "have ceased to perform the duties, but they continue to hold the "lands."

This also is untrue. The Companies are not subject to the control of the Crown. Most of the Companies have in a most forcible and unanswerable manner stated in their returns that it is an established principle of law that the Crown cannot derogate from its own grant, and that when a charter has once been granted, the Crown cannot afterwards interfere with the operation of its provisions, or with the privileges, rights, and liabilities incident to a Corporation. This is a true representation of the law; and, with regard to the assertion that the Companies continue to hold the lands granted to them on condition that they performed certain duties, there is nothing to show that any lands were granted to the Companies by the Crown, excepting those for which they paid, and that the lands that are held by the Companies, and which constitute their general corporate property, were, for the most part, given to them by members of their own body either upon trusts which have been duly performed, or without any trust for their general corporate purposes, and many of these gifts and devises were made at times when most of the Companies had ceased to perform any duties whatever.

The ninth and last proposition is, that "The continuance of a large "amount of land in the heart of the City and in the North of Ireland in "the hands of corporate and unproductive bodies is a hindrance to com- "merce and a loss to the public revenue." The answer to this is simple enough. There is nothing to prevent a Corporation from changing the investments of their property. If they were prevented from alienating their real property there might be some ground for the opinion; but they can sell in the same manner as any private proprietor.

This ninth proposition having been stated, the writer concludes with the remark that "if these propositions are established by the report of such a "Commission there will not be much doubt as to what ought to be done

" with the Livery Companies ;" and so he dismisses the case, apparently with perfect confidence as to the result. Alas, however, for Mr. Firth! there was much " reckoning without a host " in his hoped-for result. Instead of the propositions being established before the Commission he had been so instrumental in calling into life, the whole nine propositions have disappeared in a *fiasco*. He and his coadjutors were unable to prove even the least important of them, and all the testimony they adduced failed of its mark.

The general beneficence and management highest evidence of the Companies' observance of trust responsibilities.

There is no need to point specially to the acts of any one of the great City Companies as exhibiting greater beneficence or better management or truer evidence of highest and best observances of trust responsibilities in any degree than its fellows. Such appear the rules with most of the Companies ; but as Mr. Gilbert, in an article avowedly written by him, has publicly said of the Goldsmiths' Company, " It would be the easiest thing in the world to multiply instances which show a dereliction of duty and a meanness which is truly despicable,"—how stands the truth in regard to the Goldsmiths' Company, specially selected for most envenomed attack ?

Goldsmiths' Company's, as the other Companies', test of the Company's charities expenditure having grown more than proportionally with their increasing wealth.

At the commencement of this century the income of the Company was very small. By good management from that time to this it has gradually increased, and the charities of the Company and their expenditure upon objects of public utility, have, during the whole of that period, been commensurate with the increase of their income. As to education, it appears, as with the majority of the Companies, to have been always a favourite object of the Company. The voluntary expenditure upon its various schools, the establishment of no less than seventy-six exhibitions at the Universities, the aid given to the Society for the Promotion of the Higher Education of Women, and the prizes for the encouragement of technical education in the design and execution of works in the precious metals, established by the Company twelve years since, are evidences of this. The history of the Company's exhibitions furnishes a striking illustration of the assertion that the expenditure of the Company in charity has grown with its gradually increasing wealth. The first exhibitions were instituted in the year 1822, when three of 20*l.* each were established at each University. In 1828 the number was increased to five, and the amount to 25*l.* per annum. In 1829 the number was increased to six at each University. In 1834 it was resolved that a gratuity of 20*l.* be given to every exhibitioner who shall have graduated in honours. In 1837 three additional exhibitions were established at each University, and the amount was increased to 30*l.* a year. In 1839 two more were established at each University. In 1846 one more at each University. In 1849 five more were established at each University. In 1855 an exhibition of 50*l.* was established for a Scholar of the City of London School. In 1860 an exhibition was placed at the disposal of Mr. Chase, the Principal of St. Mary Hall, for the encouragement of Students at that Hall. In 1865 the exhibitions were increased to 50*l.* a year. In 1871 ten more exhibitions were established at each University. And in 1876 the like number; so that at the present time there are thirty-seven at Oxford and thirty-seven at Cambridge, besides an exhibition at St. Mary Hall, and one for a Scholar of the City of London School.

The Goldsmiths' Company's Universities' exhibitions no less than seventy-six in number.

Firth's misstatement as to craftsmen's association in the Companies.

Again, Mr. Firth, in his " Municipal London," says at page 68, that " the Charters of all the Incorporated Companies expressly state them to " be composed of working members of the different trades or mysteries " which they represent." This, again, is entirely incorrect. At the time when the later Charters were granted, a great number of the members of

the fraternities were notoriously persons who did not belong to the trades whose names the Companies bear, and at the date of the letters patent of James I., of the 24th July, 1619, by which the king confirmed to the Goldsmiths' Company the possession of all the property which they then possessed, specifying the houses and tenements in a particular manner, neither the members of the Corporation nor of the governing body were exclusively members of the trade. Indeed, there is every probability that the majority of the members were not connected therewith.

At page 56 of Mr. Firth's work, "Municipal London," occurs this statement,—"*It is a matter of common repute that the estates of Com-*"*panies are often leased to members at absurd rentals, enabling the lucky*"*lessees to make an excellent profit in reletting them.*"

Firth's false assertion as to the properties of the Companies being leased to individual members for purposes of individual gain.

Any careful reader of the oral testimony given before the Commission must be struck with the remarkable facts disclosed by the interrogatories of the Chairman and other members to the witnesses representing Companies, requesting an account of their properties, and of the leases under which held, with the name of the lessee or occupier; putting the further question as to *whether he was a member*. The quoted passage explains this. The Commissioners, in common with the public generally, had been so long accustomed to a reiteration of the wicked accusation, they naturally took it for granted that much of the various Companies' properties was leased to or occupied by members of the Companies, and that the so doing was an universal practice, rather than rare and exceptional. What can be more natural than that in London and its neighbourhood, where dwell the greater number of the members of the various Companies, there should exist property specially adapted to their home or business wants, and, as a consequence, very many members of each Company would be found as lessees or occupiers under their respective fraternities? No reasonable man would expect otherwise, or that a preference would not be given them as against outsiders. There cannot be any, or the smallest objection to a lease being granted to a member at the market value of the day. The Beale slander makes it appear not only that occupations and leases are generally matters of favouritism to members "*at absurd rentals*," but that the same are actually matters of traffic "*affording an excellent profit in reletting them.*" No fouler slander was ever penned, and, as in the case of every charge of the conspirators, it has been proved before the Commission to be destitute of even a particle of truth. Instead of the properties being let generally to members, as a rule, it has been shown conclusively that the very contrary is the fact, and to an extent almost beyond credibility.

Mr. Prideaux denies and disproves Firth's charge.

What was the testimony of Mr. Prideaux, of the Goldsmiths' Company, than whom there does not exist in the City of London a name more deservedly honoured and respected? This gentleman declared before the Commission that *in his long experience he did not know of any case in which any portion of their property had been leased to a member.* The gentlemen representing other Companies could each of them have given the lie to the charge, if not to the extraordinary extent such as Mr. Prideaux was enabled to do, yet with the same honest purpose, as all the business revelations of the respective Companies, so cheerfully placed before their fellow-countrymen through this Commission, abundantly evidence. The falsehood had, with the many others, been daringly enough hazarded; the denial was distinct as man could give it; the Commissioners needed no further proof of its utter untruthfulness.

The name of J. R. Phillips is worthy of mention as one of the stirring agitators against the Livery Companies, and as having apparently held a sort of roving commission to employ himself in any channel

open to receive his libellous contributions attacking the London Liveries. This gentleman, in common with his brethren of the small clique forming about the only attacking parties, was brought under examination of the Commission, and in reply to the Chairman, Lord Derby, stated that he was the writer of articles in various publications (though unnamed), meaning, it may be presumed, of a class of which he was not very proud; also articles antagonistic to the Companies in the *British Quarterly*, *The New Quarterly*, and *Frazer's Magazine*. Naturally this gentleman plumed himself on the admission of his lucubrations into these latter-named respectable periodicals. Lord Derby asked this excellent person: "Have you formed any idea as to the use to which you desire to put these very large funds if they are no longer to be applied as at present, but treated as public trusts?"

Mr. J. R. Phillips' antecedents as a writer opposing the Companies.

"Yes!" replied the worthy patriotic author. "My idea is this, that the whole charitable educational endowments of the metropolis, including all property which Parliament should take cognizance over, such as the corporate property of these City Guilds, should be brought into hotch-potch or into one mass, selling all the real estate and converting it into funds, and that when so brought together into a mass, Parliament should devise some scheme for its application and administration suitable to the wants and exigencies of the time we now live in, and that all the mischievous charities—that is, charities which have really a bad influence upon the recipients—should be absolutely suppressed, such as doles of bread and doles in kind, and that the objects to which Parliament should apply the revenue, should be mainly educational, and that in this, technical education should be liberally provided for, that elementary education should be subsidized, so as to decrease the school-board rates, and intermediate and university education provided for the metropolis." And when questioned by the Chairman as to what he could do with the Halls, replied, "I would sell the Halls, every one of them! I do not think they are wanted at all!"

Phillips' proposal to realize the whole of the various Companies' Halls and all, and melt same into "hotch-potch."

Certainly Mr. Phillips has the merit of most perfect candour; he desires to sell the properties of the Guilds, "*to bring it into hotch-potch or into one mass.*" There is no mistake about him, half-measures are no part of his creed; not even Commissioners to dispense the products of the auction sales were in his view necessary.

A very remarkable and telling fact in favour of the Livery Companies, showing a general appreciation by the outside public as well as by their own Liveries, is seen in that nobody could be induced to come forward to give testimony against them before the Commission. There was no lack of invitation. Everything was done that could be devised to produce witnessess, and bases of complaint were ready at hand on which to form charges. Notwithstanding all inducements, nobody turned up. No other such instance of numerous great public bodies' universal appreciation and freedom from enmity is known. There was positively no enemy to stand in the gate save the interested, well-drilled few who pursued their calling with such virulence,

Notwithstanding every offered inducement, witnesses against the Companies were not found.

> "Whose gall coins slander like a mint."
> *Troilus and Cressida*, Act i. Sc. 3.

In ordinary cases it only need be made public that any other company, say a railway for instance, was pilloried, and a general invitation given for attack, when shoals of assumed sufferers would instantly tender rehearsal of their woes, and there would be produced for airing no end of grievances. In the case under consideration there were absolutely none, inasmuch as the one solitary witness against the Goldsmiths'

The witnesses against the Goldsmiths and Fishmongers ludicrous examples.

Company, and an equally lone and sorry fishmonger against the Fishmongers' Company, both evidently having undergone severe training under the agitators, can hardly be regarded as witnesses in the sense usually applied. In the Goldsmiths' case the complaint was nothing more than a natural outcome of a long strife assumedly based on alleged trade obstructions, but when closely scanned appeared to result more probably from disappointed hope of elevation to office in the Company. In the case of the refractory fishmonger the main trouble was complaint of inefficiency on part of the officer appointed by the Fishmongers' Company to seize and condemn unwholesome fish. Whether the official pounced on the complaining witness's fish more frequently than he should have done, or whether a treaty of amity may not have been readily secured by possible elevation to Court dignity, was not made clear in the case. The only established result—and this was the same in each case—was that the Courts of neither Company coveted the honour of closer acquaintance with the parties, however anxious they may have been to advantage them by their presence. Taking, therefore, a perfectly fair view, it can be truthfully said that outside the gang of pursuers not a man could be found to testify against the Companies.

The Mercers' Company and its regal expenditure on St. Paul's School.

The example set by the Mercers' Company in its expenditure during a few years of no less a sum than two hundred and forty thousand pounds on St. Paul's School is no mean proof of the earnestness of the Livery Courts of to-day in their duty in the cause of sound education. Are not all the wealthier Livery Companies gradually pushing forward in the same direction and evidencing far more than willingness to develop public schools of a class to meet the need and feeling of modern times? There is not one of them of whom it can be said that it is indifferent to the cause of education. Their substance nobly expended in this direction during recent past years shows even more zeal and determination to widen this desirable path in their future labours for good. They know and feel that the great law of imitation inculcated by St. Paul in his remarkable words, "Conformed to the image of His Son," is an important element in the government of society. A boy imitates the ways of his master. The Saviour came into the world to be a sacrifice for sin and "an example of godly life." He dwelt on earth in order to found, as it were, this great law of imitation. Most of the charities administered so conscientiously by the great London Liveries may be said to have had their birth during times of great controversy in the religious world. They seem, as it were, to have descended from above as protests and proofs of what true religion really meant, and how conforming to the religion of the Almighty is the seeking out and nurturing the friendless ones who were more miserable than themselves. Yes, let it not be lost sight of that these grand societies are not only ancient, but have ever been religious institutions. In conforming as they have done in their charitable deeds to the image of the Saviour they have exercised practical work, and shown "an example of godly life." No club-house brawlers, no slanderers of good men are or ever have been leaders in their fraternities, inasmuch as the religion of mercy and love and truth has entered into their daily lives. It can never be forgotten that the Mercers' Company through St. Paul's School has done its work in a manner worthy of all imitation. It is approaching blasphemy to name it in connection with the traducers heading the conspiracy against these ancient guilds. St. Paul's School stands out prominent as an example of what its founder, Dean Colet, thought on such points. Although a Churchman, and the head of a religious body, and the master and ruler over a great Cathedral, he did not leave the government of the school which he founded to

Churchmen. He wisely felt that it might be swayed by that most dangerous of all parties—the religious party. He therefore left the government of this school in the hands of the Mercers' Company, a body of business men who had been unaffected by religious controversial strife. Dean Colet acted wisely, provedly so in the integrity, zeal, and ability with which the Company have devoted themselves to develop the school and the entire success attending their administration. From days antecedent to Dean Colet as now, the Mercers' Company has been governed by men of unblemished character, whose sole aim has been a thorough, faithful discharge of great duties. These have been well and truly done, so that with the Duke of Milan in Shakespeare's "Two Gentlemen of Verona," they can honestly retort on Mr. Beale and his compatriots with,—

Dean Colet and the Mercers' Company.

> "Where your good word cannot advantage
> Your slander never can endamage."

Erasmus in a letter to Justus Jonas, thus quotes Dean Colet's reasons for entrusting the management of St. Paul's School to the Mercers' Company. He says, "After he had finished all, he left the perpetual care and oversight of the estate, and government of it, not to the Clergy, not to the Bishop, not to the Chapter, nor to any great minister at Court, but amongst married laymen, to the Company of Mercers, men of probity and reputation. And when he was asked the reason of so committing this trust, he answered to this effect: that there was no absolute certainty in human affairs; but for his part, he found less corruption in such a body of citizens than in any other order or degree of mankind."

Dean Colet's wisdom in making the Mercers' Company his executors.

Who shall say but that the good, prescient Dean may have had in his mind restless thoughts of future Firths and Beales wandering about, with wolfish paw of desired meddling with his property! The resorting to the executors he did, is clear evidence that he had such faith in the ancient Guild of Mercers as to endow them preferentially with his worldly goods even over his own clerical order, although high selection among this must have been in his power.

The Grocers' Company was represented before the Commission by Mr. J. H. Warner, a member of the Court, and Mr. W. Ruck, Clerk to the Company. Mr. Warner's evidence is second to none presented before the Commission in its importance in respect to the main points held in common by the various Livery Companies in regard to charters, rights, and honest dealings with their estates and funds throughout the past as in the present. Not even the Lord Chancellor's evidence was more to the point than was Mr. Warner's. Able, clear, and given with evident sense of the dignity which should characterize upright men under the assail of libellous would-be dispossessors, Mr. Warner rose becomingly to the occasion. Mr. Warner created somewhat of a sensation, and the Commission could not avoid expressing, through Lord Derby, the idea that eminent counsel had drawn the Report of the Grocers, formally presented to the Commission, and subject of reference by Lord Derby. Unassumingly and with evident shrinking from any desire to take credit to himself, the able witness divided all such among his brethren of the Court and their able clerk, Mr. W. Ruck.

The Grocers' Company before the Commission, represented by J. H. Warner, of the Court, and Mr. W. Ruck, the Clerk.

Mr. J. H. Warner, member of the Court, was thus interrogated by Lord Derby:—

If I understand rightly, your view is that except as regards a very small proportion of the property of the Company they are under no legal obligation to dispose of it in any particular way?

Yes; I should say that is the case. Of course, I should admit a moral obligation.

Evidence of Mr. J. H. Warner, of the Grocers' Company.

Mr. J. H. Warner, of the Grocers' Company.

Yes; but we are all under moral obligations.

We are.

But you would not admit, if I understand you rightly, that there is more moral obligation on the part of the Company than on the part of any large possessor of income to dispose of it in any particular way?

I think a little more than that. I think we must look to the original constitution of the Company, which was that of a benevolent, religious, and social fraternity. The objects of that constitution still remain, and, I imagine, still have to be observed in the disposition of the property.

When you say that, do you mean that the Company could be compelled to observe them, or that, merely as a matter of good feeling, they would observe them?

That is a difficult question to answer. It is possible, I think, that the members of the Company might have some sort of right to enforce them, but I do not think there can be any other right except as between members of the Company.

You say that there is no external obligation?

No external obligation.

I daresay I have misunderstood it, but speaking broadly the revenue of the Company is about 40,000*l.* a year, is that so?

About that.

And the extent to which you consider there is any legal obligation is about 500*l.*?

Yes; about 500*l.*; I do not think quite so much, if we exclude the fixed payments of 315*l.* a year mentioned in the statement.

I put it roughly. I only speak in round numbers.

Quite so.

You are aware, I daresay, or I will ask you whether you are aware that that is a claim that is very much in excess of that made by any other particular Company?

I believe we stand quite alone in that respect. Of course the Commission is aware that the Company has got rid of very many of their trusts by the middle class school scheme under the Endowed Schools Act.

As I understood, your view is that the Company received land originally with some trusts attached to it?

In some cases; in others it was an absolute devise and gift to the Company with no trust at all.

But at all events in some cases with a trust attached to it?

I should rather say with conditions to be performed.

That then that property, or large portions of it at all events, was parted with and regained by the Company without the conditions;—is not that your view?

That would apply to the particular portion of the Company's property which was regained by the Company, and the re-acquirement confirmed by the Act of James I.

I mean your view is that portions of the property of the Company are held by them free from any conditions at all from the beginning?

Yes.

And that considerable portions, though saddled originally with conditions, have now become, by the events that have taken place, free from those conditions in the hands of the Company? The conditions that have been got rid of in that way were connected with trusts which have been appropriated by the middle class schools scheme or else with superstitious uses?

I think there are no others.

Do not I understand from the paper you have handed in that there was

a getting back of some considerable portion of the property from, I think, Edward VI.?

Mr J. H. Warner, of the Grocers' Company.

That applied to so much of the Company's property as was devised for or in connection with superstitious uses.

That was parted with, and then got back from Edward VI. free from those uses; is that so?

I think it was not parted with. It became the property of the Crown under an Act of Henry VIII., and was afterwards regained by the Company.

Parted with, I mean by that lost to the Company?

Lost to the Company.

And that it was then re-annexed to the Company free from the uses that had theretofore attached to it?

On payment to the Crown.

And on that ground you say it is the private property of the Company?

Yes.

I understand you also to say that the Company, and I suppose you would say other companies too, but I confine you to your own, has nothing to do with the Corporation of London, and is no part of the Corportioan of London?

Certainly it is no part of the Corporation of London. That was decided by Lord Chief Justice De Grey in Plume's case.

That is your view?

Yes.

The members and Livery of the Companies as such form part, do they not, of the Corporation?

I should say not. The Livery form part of a particular branch of the Corporation, the Common Hall, but only for very limited and special purposes.

Sir Sydney Waterlow questioning Mr. Warner, asked: Can you tell me whether it is the practice of your Company to grant leases of all their property at rack rents, or is it sometimes the practice to grant at lower rents taking a premium?

We never take a premium.

Do you always grant at rack rents?

Or on building leases at the best rent that can be obtained by tender.

Since you have had a knowledge of the Company, have the Company parted with any portion of their real estate?

They sold their Irish estate.

But beyond that?

Mr. Ruck tells me there have been small cases either of sale or exchange.

When property has been sold have the proceeds been treated as part of the *corpus* of the Company, or have they passed into the revenue account?

The proceeds are treated as capital.

That, I presume, you consider is the proper way of dealing with them?

I should say so, but on the other hand I see no difficulty in taking part of the capital for charitable purposes if required, as in the case of the London Hospital.

I presume you would not see any difficulty at all in taking any part of it, because you consider that the Company holds it just as any private individual would hold property?

I think we should be very unwilling to diminish the general amount of the Company's property; for instance, in the case of a large gift, such as

Mr. J. H. Warner, of the Grocers' Company.

the gift to the London Hospital of 25,000*l.*, the amount probably would be made up by savings in other years.

Mr. Pell asked Mr. Warner, Did you prepare this statement? (Referring to that originally presented to the Committee in obedience to its command.)

To which Mr. Warner replied:

I had a great deal to do with it.

It was a joint production was it? Replied to by Mr. Warner thus:

A small Committee of the Court superintended it, but I make myself responsible for the whole statement.

Was anybody associated with that small Committee of the Court in the production of this document? Replied to by Mr. Warner:

Two or three persons, officers of the Company, assisted; the senior warden, a member of the Committee, gave very valuable aid.

I will put the direct question at once. It appears to me that this has been prepared by a professional man, by a lawyer. Is not that the case?

Well, I am a professional man, though not in practice at the bar; it was prepared by myself as a member of the court simply, not professionally at all.

What do you understand to be the origin of your Company? Lord Sherbrook observed. Will you state what called it into existence?

That is mentioned very fully in the statement.

Yes, it is, but it is rather obscure there, I think. You seem to trace your origin, do you not, to a body which did not exist very long, called the Pepperers?

They existed certainly as long back as the year 1180.

Yes, 1180, undoubtedly; but it was not of very long duration as a body, was it?

No, the bankruptcy of the Italian merchants in 1345 seems to mark the date, after which we hear nothing more of the Pepperers.

You do not assume that you came into being by spontaneous generation?

No; the records of the Company exist, and the actual names of the founders.

Then you connect yourself, do you not, with the Pepperers through a link which was a religious fraternity, that of St. Anthony; then the religious fraternity of St. Anthony are transformed ultimately into the Grocers' Company as we have it now?

Yes.

How do you think that this recital of the Pepperers and the religious fraternity of St. Anthony strengthens the case of the Grocers' Company as against the reformers of the day?

It possibly is more a question of antiquarian interest than anything else.

You are no more, I suppose, like the Pepperers than a frog is like a tadpole?

I imagine the Pepperers were traders; the fraternity of St. Anthony was a religious and social guild.

But the Pepperers undertook other business, or connected themselves with other business, than that of spice and trade, did not they? they were canvas makers, and also had to do with the adjustment of weights, had they not?

It appears so.

But you do not think your case rests strongly upon your connection with the Pepperers?

No, the reference to the Pepperers was inserted to explain why the

original founders of the Company in 1345 are so called; they are mentioned there as Pepperers. Mr. J. H. Warner, of the Grocers' Company.

You did not insert that part of your statement relating to the religious fraternity in order to attempt to show that the Grocers had no craft, did you?

No, it was not inserted with that intention. The description of the foundation of the Company, which we have in the records, undoubtedly shows to my mind that there was no craft originally.

What is, roughly speaking, the annual income of your property; the corporate and the charitable property?

About 40,000*l.* a year.

And there is only a very small portion of that, I think you say, that is charitable property?

Yes, it may be regarded, as I have said, as being about 500*l.* a year, but, of course, we are concerned, if I may say so, with schools and other institutions which involve a very large outlay, and which must be kept up.

That, I think you have said, was of your own good will?

Yes, but there are the institutions, and they must be maintained.

Then is it your contention with regard to this very large property that the Grocers' Company have just the same rights as persons owning private property?

I should say so, subject to the undoubted moral obligation which has always governed our Company.

Moral obligation is not always very strong with private persons?

It has lasted for 500 years with us as a Company.

You mean the way in which you deal with this property is a moral question, and to be referred to moral law and not to anything else?

I should say there is no legal obligation.

You say that the Grocers' Company has a conscience?

I hope so.

Which it obeys?

Which it obeys.

And which governs it in its dealing with this property?

Undoubtedly.

Then you say, I suppose, that you are not fettered with any special conditions as to the use you make of this property, and that you are not answerable to any external authority?

No.

And, so far, your case is very like the case of a private owner; do you say that you have no advantages conferred upon you by the law, by the State, or by the charters, that private persons have not got with respect to this property?

Of course we could not hold land at all without a licence in mortmain.

Mr. Alderman Cotton asked Mr. Warner,—

When a man joins a company and takes up his livery, he lives in hope hereafter of becoming a member of the Court by the accustomed mode of election, does he not?

Mr. Warner's able reply is an answer to the impertinent slanderers who insinuate that members of such Courts have little to do other than pocket the nominal fees allowed for attendance. The witness thus met the question:—

The work of the Court of the Grocers' Company is so heavy, and there are so many charities to be attended to that we have to select men carefully to administer them. It is a very doubtful point whether it

Mr. J. H. Warner, of the Grocers' Company.

is an advantage to a man to be on the Court or not; it is doubtful whether it is any social advantage to a man; it is certainly no pecuniary advantage.

Mr. Alderman Cotton questioned thus:

Is it a fact that the court fees of the Grocers' Company amounted in 1879 to only 762*l.*, out of an income of 37,200*l.*?

Yes, I believe that is correct.

The Grocers' Company have given away to charitable objects more than 200,000*l.* out of their corporate income in the last ten years, have they not?

Yes, we give upwards of 22,000*l.* a year to charitable and educational purposes.

That would be about 200,000*l.*?

Rather more.

Yes, it is rather more. Two chief objects of your charity have been your school at Hackney, an excellent middle class school, and the London Hospital?

Yes, and Oundle School.

Any other?

There is the first grade school at Oundle, and the middle class school at Hackney; schools at Witney and Colwall, the London Hospital, and the great London hospitals and charities generally.

Then it has been judicially decided that the Company is not a part of the Corporation of London, has it not?

That is so; Lord Chief Justice De Grey decided that in Plumbe's case, I think.

Some few years ago you were very wide apart from the Corporation of London; I think there was quite an ill-feeling between the guilds and the Corporation, was there not?

Ever since I have been a member of a City Company I have considered that there was no kind of relation between the two.

Then "after the great fire the Company became extremely poor, owing "to the destruction of their hall, almshouses, and house property. They "mortgaged their whole estate in order to provide for the support "of their charities. The then members also subscribed a very large "sum for this purpose out of their own pockets. This transaction "amounted, in the judgment of the Company, to a second foundation. "Their present estate represents the subscription raised after the fire; "and, for this reason, in addition to that of the law being on their side, "the Company contend that they have a moral claim to treat their "whole estate as private property"?

Yes, I consider that that is a fair representation.

That is using your own word "moral"?

Yes.

"It has been judicially decided that the Company have a right "to sell and divide; not that they really wish to do this, or would "think it right. This has been done in the case of innumerable "provincial guilds." Is it a fact that "there are several towns in "England where there are rich guilds, e.g., Bristol, where the Mer- "chant Adventurers own all Clifton, and have 20,000*l.* a year; Shef- "field, with its Cutlers' Company, which has a hall and considerable "revenue"?

I am not well acquainted with this: I believe the Cutlers' Company of Sheffield has a hall and a revenue.

You object to London being dealt with separately?

Certainly.

Your own opinion is most positive as to the fact that the property you

are enjoying, with the exception of the 500*l.* a year, is your own private property?

Yes.

By Mr. James: You stated in the statement which is before the Commission that your Company entirely endorsed the letter which was sent to the Commission by the clerk to the Mercers' Company on the 14th of December, 1882?

I think the expression is that we "adhere to the views expressed generally in this letter."

Exactly, do you adhere to that?

I do.

I believe it is the case that at the time of the appointment of this Commission, or shortly before, there was every wish expressed by the members of your Court that the fullest information should be given to such inquiries as the Commission might think proper to address to them?

Yes, we were always willing and thought it right to give any information in our power.

The fullest information in your power?

Yes.

Was it not the case that at certain periods the Corporation made demands upon some of the companies for pecuniary subventions for the purposes of the Corporation?

I am not aware of that in the case of the Grocers' Company, or, indeed, at all. I believe the Corporation on some occasions collected money for the Crown by demand upon various companies.

Is it not the case that it sometimes collected money for the Corporation?

Not that I am aware of, but of course in a history of 500 years it is very difficult to say.

I suppose towards the end of the 17th century, that the companies were in a very destitute and shattered condition?

That is so; bankrupt in fact.

And that the great wealth of the companies has been acquired chiefly by the great development that has taken place in the value of metropolitan property in comparatively recent times?

Yes, but it was the money subscribed by members of the Court of the Grocers' Company which restored the Company to its position.

You do not consider it a trading community; you say that it was a social community originally, and that that social community afterwards became connected with the Corporation?

Yes, so far as it ever became connected with the Corporation.

And then at a subsequent period that connection seems to have become gradually less?

For the last 200 years there has been no connection at all that I am aware of, except only that the Livery might attend in Common Hall for the election of Lord Mayor and, I believe, one or two other officers.

In reply to Sir Sydney Waterlow: Those figures only refer to the corporate estate, and have nothing to do with the trust estate?

The trust estate is, for this purpose, practically of little importance; it is only about 500*l.* a year. But the expenses of management include mangements of trusts.

Mr. Burt: With regard to the school at Oundle to which you pay so much, it is a middle-school, is it not, entirely?

No, it is a first-grade school. It is a good classical and mathematical school, but the future of the school is under consideration at the present time, and possibly it may be made more of a commercial school, but that is uncertain.

Mr. J. H. Warner, of the Grocers' Company.

How is access obtained to the school?

Just like any other public school.

Is there any sectarian test at all?

None whatever.

It is open to dissenters or nonconformists, or anybody, I suppose?

Yes, as far as I am aware. That is really left to the head master, and the Company do not interfere about it.

You state on page 22 of your statement that you pay large sums for technical education; may I ask how much you expend?

We are giving 2000*l.* a year. Of course you will understand it is an annual gift; we do not bind ourselves to give it, but it has been given the last two years.

Through what channel is that given, may I ask?

The City and Guilds' Institute.

Has it been given for long?

For two years.

Mr. Firth shows a keen eye to the cash balances.

Mr. Firth, with a keen eye on the ready cash, and possibly with memory recurring to the long-past occasion of Marshal Blucher making a triumphal entry into the City of London, just after the battle of Waterloo, when riding by the side of the Duke of Wellington, passing through Cheapside, and gazing on the evidently vast wealth everywhere around, the material-minded German could not resist the exclamation, "Oh! What loot! What loot!!" So Mr. Firth, becomingly impressed with a sense of the useful purposes to which he and his friends would apply "*the balances*" of the City Livery Companies in general should a day of "allocation" and "redistribution" arrive—with a furtive glance, gently breathed to Mr. Warner his earnest desire to learn whether the balances continue cumulative, or whether "*divided.*"

Mr. Firth's final question was thus put,—

"With respect to the Company's balances, I should like to ask you a question. I find that their very large balances are thus carried forward from year to year. They are on page 39 of your first report, 'a return of the balance of monies, 11,969*l.*, 8272*l.*,' and so on. Are they carried forward or divided amongst the members, or what is done with them? I cannot trace out what is done with them from these accounts. It says, whether they can be considered as unappropriated is at least doubtful, but the balance remains to meet the demands upon the Company?"

How great was the relief afforded by Mr. Warner's reply,—

"They are simply carried forward to the income of the following year."

Mr. Firth and his friends would appear to have no present pressing case of looking to some of the Companies' balances, as in the case of the Cloth-workers, there is rarely much in hand to "the good." As fast as money comes in it goes out. Mr. Owen Roberts assures us that any increment is swiftly expended in suitable objects.

Froude's definition of the City Guilds.

In investigating the matter of these City Guilds' duties and responsibilities, it is of high importance to bear in mind what the societies are and ever have been. That able modern historian, Froude, has faithfully worded for us their true definition, so far as their social status is concerned. He says, "They were in the nature of benefit societies, from "which the workman in return for the contributions which he had made "when in health and vigour to the common stock of the guild might be "relieved in sickness or when disabled by the infirmities of age. This "character speedily attracted donations for other charitable purposes "from benevolent persons, who could not find any better trustees than "the ruling members of these communities, and hence arose the

"numerous charitable gifts and foundations now entrusted to their care. "They also possessed the character of modern clubs. They were institu- "tions in which individuals of the same class and families assembled in "social intercourse."

Modern London and Provincial Clubs in no respect analogous with the old City Companies.

It is impossible for language to convey in better or more truthful conciseness the character of these fraternities, as to their past course of existence, than do these few sentences of Mr. Froude. It was through the possession of realized admirable qualities that Dean Colet confided his all to the good Mercers. There exists identity with that of the Freemasons and other old guilds existing elsewhere in the kingdom, though with, perhaps, less protective claims. They are void of all the selfishness of ordinary clubs, and their strict aim is to do good to the needy of their own fraternities. Even for the Reform Club, Mr. Gladstone would fearlessly claim, as also for his special *protégé* the National Liberal Club, should it ever be blessed with large private properties, to be protected. These he and his friends would becomingly stand by and defend with the tenacity of Britons. Any attempt to interfere with the comparatively meagre rights of the Reform and other clubs, or the Carlton in Pall Mall, or the new National Liberal Club on the Thames Embankment, or indeed any of the Liberal or Tory clubs in the City, or their prototypes, the clubs springing up in the great cities of Liverpool, Birmingham, Manchester, Glasgow, Edinburgh, Bristol, and other large centres, what a hubbub would be raised. There is no real analogy between the respective cases, seeing that accumulated wealth is denied to these. Should the day arrive for good men to hand over their properties to the keeping of the National League Club to "make it comfortable," as in the case of Mr. Thwaites, who bequeathed his twenty thousand pounds to the good brethren of Clothworkers, and which the allocators, seeing that he has been in his grave only some fifty years, already propose to redistribute; the analogy would still be a weak one, as such would be without any of the special Charter rights of the ancient guilds of London. Fifty years is coming pretty close, rather nearer indeed than suits the barefaced City Companies' marauding band. Antiquity is for the moment their hunting-ground. People are hardly yet accustomed to the movement, so the ghoul grubs up moss-grown graves, but courage will grow apace, and we shall get accustomed for an early exhumation and re-arrangement than even Mr. Thwaites' instance displays. Shorn of all dissimulation the purposed spoliation of the City Liveries is a very self-evident matter. Who believes that but for the Companies' well-filled coffers Messrs. Firth and Beale would ever have troubled their heads about them? If Mr. Phillips's "hotch-poteh" and general melt-down could not be realized, there would at least be chances of commissionerships to see to the direction of the incomes into channels different from their existing flow. But for these seeming prizes the agitation never would have been born.

CHAPTER V,

The various Liveries' vigorous efforts in promoting the cause of education—Their aptitude in selecting for scholarships instanced in the case of Sir George Airy, presented by the Fishmongers—Sir George's public acknowledgment of the service—The Liveries' onorgetic action in organizing necessary arrangements for Technical Education—Their movements shown to be among the earliest—Mr. Owen Roberts of the Clothworkers a pioneer in the cause—Alderman Whitehead's reference to good work done by the Civic Companies—Sir Frederick Bramwell's great service in cause of Technical Education—The Lord Chancellor Selborne—Sir Frederick Bramwell, F.R.S.—Mr. Watney of the Mercers—Mr. Sawyer of the Drapers, and Mr. Owen Roberts, F.S.A., of the Clothworkers, attend the Commission as representatives of the City and Guilds Technical Institute—The Lord Chancellor states his membership in the Mercers' Company as extonding through three generations—His Lordship explains that City and Guilds Technical Institute originated with the Clothworkers' Company—Mr. Gladstone in 1875 urging the Companies to aid Science and Art Education—His Lordship continues his history and objects of the Technical Institute, and refers especially to Professor Huxley's views thereon—The site at South Kensington—Incorporation of the Institute—Nomination of Governors, &c.—Laying foundation-stone of Central Institute by the Prince of Wales in 1881—Building's costs and contributions thereto—Annual subscriptions to the Institute—Students in various schools—Sir Frederick Bramwoll explains nature of governing body—Lord Chancellor and Sir Frederick Bramwell's statements as to application of funds—Other details as to the Technical Guilds—Great services rendered by Mr. Dalton of the Drapers' Company, who boldly denounced the Firth and Beale agitators—The bounteous charities of the Drapers' Company stated—The Salters' Company, and tributes to Mr. Alderman Fowler, M.P.

If evidence were needed of the earnest desire of the City Liveries to devote their energies and means in aiding the cause of higher-class education in London and its neighbourhood, it is abundantly produced through this Royal Commission of inquiry into their actions and possessions. Until called upon by Parliament to lay before the country their incomes available for such purposes, they were content noiselessly to continue in their unobtrusive performance of duty conscientiously carried on, and which, although it afforded opportunity for enemies to misrepresent them, has nevertheless been none the less real. It has already been shown in this volume how vigorously the weathier Companies have applied themselves to the extension and improvement of their numerous and large educational foundations, some of which may be said almost to rival the most favoured public schools in the kingdom. It would be invidious to name these; one and all have for years past been urged forward in the van of increasing excellence, they are one and all of them at this present moment under the pressure of the Courts of the various Companies with design for steady, continuous development. Various plans are under consideration with these objects in view, and which but for the probability that their enemies would have used any declarations of future intentions as confession of weakness in their case before the Commission, and that such promises in this respect would be stigmatized as offers for condoning past wrongs, would have been detailed. Having to deal with the Commission's Secretary, who has proved himself a strong partisan by the issue of a circular urging extreme agitation of most unprin-

cipled nature against them, would naturally beget reserve; but for this there would no doubt have been greater candour on their part in reference to the designed future of their schools. As an instance of what is intended, reference may be made to the Grocers' Company's schools at Oundle under its Laxton foundation. Buildings rivalling the foremost public schools have been erected there, combined with a modern school offering special study of modern languages. The great success of the Oundle School, which has within the last few years carried off more open scholarships at the Universities than any other school in the kingdom, proportionably with the number of pupils under education, is a fair example of what the several Livery Companies are doing in middle-class education. All realize that the Board Schools provide primary education, and that it should be the aim of the Companies to supply education of a higher class, institutions into which the more promising may be drafted through means of the several Companies' munificent gifts of scholarship presentations. No grander feature in this respect can be conceived than may result through these higher-class schools of the Companies. What nobler purpose than the presenting friendless boys, who greatly distinguish themselves in the metropolitan schools, to free scholarships in the Grocers' Oundle or other schools? and yet this venerable Company uttered not a word exaltingly of their school intentions.

As an instance of great men being helped forward by the Livery Companies, and there have been many such, reference may be made to the case of Sir George Airy, K.C.B., D.C.L., LL.D., who, in acknowledging the presentation to him of the honorary Freedom of the City of London, by Benjamin Scott, Esq., F.S.A., the Chamberlain, some years since, thus referred to his own case :—

"In the step taken to-day I may well interpret, both from the nature "of the case and from the statement of the Chamberlain, the general "view of the Corporation that they are desirous of expressing at this "time their sense of the value of science, and the claims it imposes "upon them. This subject, or at least the subject of liberal education "leading immediately to the pursuit of science, was not overlooked in "times now distant by the Corporation and the Companies of this City. "I would mention, if you will not think me egotistical, a little matter "concerning myself, of which I have spoken before at some meetings of "the Corporation or its guilds. When I was a young man, a student at "Cambridge, and rather poor than otherwise, I did receive a small "exhibition from one of the London Companies. It came to me through "the hands of persons whom I did not know, but it was forwarded to "me in some way at Trinity College. It was the first money I ever "possessed of my own, but that money gave me independence at the "time. How much it may have contributed to what some persons may "consider my success in life, I cannot say; but that it did contribute "much I have no doubt." Sir George Airy's graceful allusion is mentioned in the Chamberlain's (Benjamin Scott's) admirable work, "London's Roll of Fame," page 307.

The Fishmongers' Company has the honour of having extended the helping hand to Airy, though with the high gentlemanly bearing of the brethren, they have never vaunted or even named the act of grace, or claimed the true honour such conferment brings upon the bestowers.

During some years past the various Livery Companies have thrown their energies largely into the matter of Technical Education. Although there has been delicacy, through possibility of their acts being misrepresented by designing enemies, who would have misconstrued their motives. Technical Education is a main feature with all the Companies.

All are willing to help it on to the utmost of their means; already the richer Companies have generously drawn their purse-strings, as have also many of what are designated "the minor Companies" contributed very nobly, as is their usual wont; to name the gifts of either would be invidious. The Clothworkers' Company was the earliest in setting the good work in motion, though Mr. Owen Roberts, Clerk of that Company, a distinguished Fellow of the Society of Antiquaries, has always refrained from anything which savoured of taking other than the most equal share of credit with each of the Companies who have joined in finding monies for the early start. On a recent public occasion, Mr. Owen Roberts, alluding to the great services rendered by the London Liveries, forcibly remarked on "the gratification it "had been to the old Guilds of London to support, as they had "done, the modern Technical Schools." Alluding to Mr. Firth's unwarranted sneer that "the City Companies were repenting rather late, "and had only just woke up to a consciousness of their responsibility," Mr. Owen Roberts, on a recent public occasion said unhesitatingly that "the Guilds did not do their duty more in 1884 than in 1864. During "the last twenty years leases granted at the commencement of the century "were falling in. The properties which belong to the Guilds were under "leases to other parties, and although their properties were valuable, they "were not valuable to the City Companies; they were valuable to the "lessees, who were taking the increments upon them. As an illustration "of this fact, he mentioned that whereas now the Clothworkers' Company "had an income of about 50,000*l.* a year, when he joined the Company, "nineteen years ago, the income was not half as much. That was true "of nearly every Livery Company. The reason why the Companies did "not do in 1864 what they did in 1884 was because they had not got "the money to do it with. They had only enough to fulfil their primary "obligations, and render such assistance as was needed by their poorer "brethren, which they gave without ever trampling on their feelings of "delicacy. That was the first duty of a City Guild, and when that was "done there remained but very little for external objects of charity and "education, but, as the increment came to the Companies, they were "swift to give the balance towards objects of private utility, and as the "income grew the gifts in aid of charity and education would increase. "They did not need the spur of any Government, Conservative or "Radical, to make them liberal."

Mr. Alderman and Sheriff Whitehead, on his taking office as sheriff, had thus referred to the Civic Companies' work:—"Some persons asked what the Livery Companies of the City of London were doing. He would venture to say they had done and were doing a great deal for the public welfare. Any one who read the records of the City would become acquainted with the fact that they were doing a great deal in the promotion of technical education, not only in the City of London, but in the metropolis generally. Many of the Livery Companies were spending a very large amount indeed in the promotion of good objects, and more particularly in the promotion of the higher classes of education. If they would look around the City and the metropolis, and even into the country districts, they would find the handiwork of the Guilds almost everywhere. Let them look at the City and Guilds Technical Institute at South Kensington. A great many people who lived in London had no idea of what had been done there, and he had the authority and assurance of Professor Huxley, who took the very warmest interest in that institution, for saying that it was doing a great amount of good, and that it would be exceedingly valuable in promoting technical education, and so assisting in the prosperity of the country.

Then, if they came out of the City they would find that all the educational establishments which were worthy of support were being very heartily assisted by the City Guilds. Take, for instance, the City of London College; see what a vast amount of good that college was doing. He did not know whether they were aware of the fact, but not only in that college, but also in the Birkbeck Institution, they had what were practically universities, which were teaching the higher branches of instruction with as great an amount of ability as either Oxford or Cambridge. It was a remarkable fact, of which he was not aware until presiding at the Birkbeck Institution, as the *locum tenens* of the Lord Mayor, that at that institution the number of pupils exceeded those of Oxford and Cambridge combined, and there was no single branch of learning at Oxford and Cambridge which might not be acquired at the Birkbeck. They could begin with say, Latin and Greek, and go on in the modern languages, until they reached Sanscrit and Hindustani. All branches of mathematics also were taught, and technical education of every description was dealt with, and this, let them remember, within the City of London. These opportunities for study were of the greatest value to the young men and young women engaged in business in the City, and they could go to the institutions he had named and acquire the various branches of education. These were the institutions such as the Guilds of London chiefly supported. Dr. Birkbeck, the president of the Birkbeck Institution, said they needed funds. The erection of their new buildings had left them considerably in debt, and Dr. Birkbeck had said that they had looked around on every side, and the only institutions they could go to for help were the City Guilds, and he had no hesitation in saying that they might confidently look for help to them. During the last few years the Guilds had shown a vast amount of vitality, and were endeavouring to make up for any wants of the days gone by. He had hope of the possible establishment in the City of a really good school of art. He held that there was a good opportunity for creating such a school of art, which should become as popular and as useful as the Guildhall School of Music, which was recognized as being one of the best schools for teaching music of all kinds, not only in London, but in the world. There were a great many young men and young women who would be only too glad to study art if they had the opportunity of doing so within easy reach of their homes or their places of business in the City. If they took such suburbs as Blackheath, Highgate, Holloway, Hampstead, and so on, it was far more easy to get from these into the heart of the City than it was to get to South Kensington, where art was being taught in the very best manner; but it was almost a day's journey to get there and back again. If schools of art were established in the City they would have a number of pupils far larger than those attending at South Kensington. It was an institution such as that he would like the Guilds and Corporation to bring into being, and he ventured to say it would be a success far exceeding their expectations, and one which would redound vastly to the glory and honour of the City, which they all loved and respected."

In connection with this important matter of the founding of the City and Guilds Technical Institute, it has been of inestimable value to have secured Sir Frederick J. Bramwell to take the important position he has assumed as its chief guide. No man in England is better suited to direct its early steps in a right path, seeing that his practical mind has followed the subject from its earliest start, and given it all the care needed to avoid misdirection of power, and in keeping the Guilds' mind steadily to channels most likely to yield success. Sir Frederick J. Bramwell's recently delivered address before

the Institute of Civil Engineers, on his assuming the chair for the first time since his election to the high office of President of that Society, is one of the most remarkable papers ever delivered to that society, noted, as it is, for gifted thoughts of the greatest men. Sir Frederick J. Bramwell's address on that occasion proved the wisdom of the Institute of Civil Engineers in so unanimously calling on him to be their president, as also the honour conferred on the Institute by his election to the high office.

This matter of the City and Guilds Technical Institute was brought under consideration of the Commission on the tenth day of inquiry, when the Lord Chancellor and Sir F. Bramwell, F.R.S.; Mr. Watney, Clerk of the Mercers' Company; Mr. Sawyer, Clerk of the Drapers' Company; and Mr. Owen Roberts, F.S.A., Clerk of the Cloth-workers' Company; Honorary Secretaries to the Institute, attended before the Commission as a deputation representing the City and Guilds Technical Institute.

Deputation from City and Guilds Technical Institute.

The Chairman, LORD DERBY, addressing the Lord Chancellor: said we understand that you and the gentlemen who come with you have done us the honour of appearing here with a view to making a representation on behalf of the City and Guilds Technical Institute?

The LORD CHANCELLOR: Yes, that is so.

The Chairman, LORD DERBY: Then probably it will be convenient if you will kindly make the statement you wish to put before us in the form that you prefer?

The LORD CHANCELLOR: I may first mention that the Royal Society is one of the different bodies who are represented on the government of this Institution, and that Mr. Spottiswoode, the President of that Society, who has been associated with us, has unfortunately been prevented from being present here to-day. It was thought possible that the Commissioners might wish to have some skilled opinion as to the work which is being undertaken, and the results likely to flow from it when seen from a scientific point of view, and we trusted to him to give the Commissioners that information; and perhaps, if you should think it desirable, you would receive it from him on a future day on which he might be able to attend.

The Chairman, LORD DERBY: We shall be very happy to do so.

The Lord Chancellor Selborne states his membership in the Mercers' Company as acquired through hereditary right. His Lordship's great-grandfather and all his male descendants having been freemen of the Mercers' Company.

The LORD CHANCELLOR: Then with respect to those of us who are present, Sir Frederick Bramwell and myself, I propose, with the permission of the Commissioners, to make a general statement upon such matters as I presume you would wish to be particularly informed about; and Sir Frederick Bramwell, who is more conversant than I am with the working of the Institution in detail, will be prepared to supply further matter. Perhaps I may be allowed at starting just to say how it is that I myself have the connection which I happen to have with this Institute. I am a member of the Mercers' Company by hereditary right. My great-grandfather (who was the younger son of a Leicestershire gentleman) having come to London to go into business at the beginning of the last century, and then having been apprenticed, I rather think, to a member of a collateral branch of the same family, who was a mercer, the effect of that was to give all his male descendants a right at the age of twenty-one to take up the freedom of the Company, which I believe they have none of them failed to do. I did it in my turn, and was in the course of time put upon the Court of Assistants of the Company, though practically I was never able to attend there during the time of my professional practice.

When I ceased to be Lord Chancellor after my former term of office, the Company was so good as to pay me the compliment of asking me to become their master, and free as I then was from public engagements, I willingly accepted that offer and served during the year when this scheme of technical instruction first became matured in its present form. That was the cause of my being honoured with the position I now hold of one of its governing body. The beginning of the scheme may be carried back to the beginning of the year 1873, when the Clothworkers' Company—who, perhaps, of all those deserving praise in this matter, deserve the most—initiated a practical movement and began to incur very considerable cost for the promotion of it. They founded at that time, in the year 1873, a school for the promotion of textile industries on scientific principles in connection with the Yorkshire College at Leeds, and their expenditure and engagements on that undertaking, and in connection with the Institute from that time to this, I am told is not much short of 90,000*l*. I think it is due to the Clothworkers' Company to state this at the outset, not only because they were the beginners in the work, but also because of their most liberal contributions to it. The next thing which I notice without any knowledge of the degree of influence which it may have had upon other people's minds (I mention it because it had certainly some influence upon mine) was an invitation which the present Prime Minister, Mr. Gladstone, held out to the Companies to undertake a work of this description, in his address upon education, when he presented prizes to the science and art students at Greenwich in 1875. I have here an extract of what he said in that speech. He said it was especially desirable that efforts should be made to give instruction in science so as to improve the knowledge of the British artist and workman, and enable him to hold his position in the markets of the world. That result, he added, could only be attained in the main through the agency of the individual mind and will, and then he said this: "All that others can "do is to offer assistance, and who should offer that assistance? I "confess that I should like to see a great deal of this work done by the "London Companies. I have not been consulted by the London Com-"panies, but if so, I would have besought and entreated them to "consider whether it was not in their power to make themselves that "which they certainly are not now, illustrious in the country by endea-"vouring resolutely and boldly to fulfil the purposes for which they were "founded." And he went on to say that he understood the Companies to have been founded generally for the purpose of developing the crafts, trades, or mysteries, so-called, in the country. As I have said, I rather speak of my own attention having been directed by that speech to the matter, and I do not know at all to what extent, or in how many cases, the minds of other men may have been moved in the same direction by that invitation. However, in the next year, through the agency of the Clothworkers' Company, and I think the Drapers' Company also (in the year 1877 it was that it came to maturity), those Companies proposed to the other Companies to combine for this purpose, and an executive committee was accordingly formed. That, I think, was done in January, 1877. The first step that was taken after the executive committee was formed was to endeavour to obtain the best scientific and practical advice possible, with reference to what was wanted, and what could be done; and they sent a circular paper (which I hold in my hand) to five gentlemen, of whom three eventually gave them reports, and two others were kind enough to take the places of those whose engagements prevented them from doing so. The gentlemen in the first instance consulted were Mr. Lyon Playfair, Mr. Lowthian Bell, Captain Douglas Galton, Major Donnelly (the Director of the Science Department at South Kensington),

The Lord Chancellor Selborne explains the City and Guilds Technical Institute as originating with the Clothworkers' Company in 1873, and further details its early history.

Mr. Gladstone in 1875 urged the Companies to aid science and art education.

The Lord Chancellor Selborne continues his history and objects of the City Guilds and Technical Institute.

and Mr. Wood, the Assistant-Secretary at the Society of Arts. I will not trouble the Commissioners by reading the detail of this, but it is right to mention that it was placed before those gentlemen in such a manner as to leave their judgment entirely unfettered by any foregone conclusions as to the subjects on which they were consulted on the part of the executive committee. Two of those gentlemen, Mr. Lyon Playfair and Mr. Lowthian Bell, I think, were unable to give the assistance that was desired; but instead of them we obtained the assistance of Professor Huxley and Sir William Armstrong, and they gave their reports to the executive committee in the autumn and winter of 1877; that is, the same year. We have been favoured with a communication of the evidence, or some evidence already given before the Commission; and I observe that two of the witnesses who have been examined here seem to imagine that the scheme has been started upon an unsound basis, and that in particular Professor Huxley's judgment was not in the direction which the scheme has taken. I saw that with surprise. I am sure I do not know upon what ground any one could have formed that opinion; but I have here Professor Huxley's report, and I venture to mention some passages (not troubling the Commissioners with extracts from any other) in which he both speaks most strongly of the want, and indicates those modes of supplying it, which it has been endeavoured to adopt. He says that a complete system of technical education should be directed towards these objects: "First, the diffusion among artisans and others occupied in "trades and manufactures, of sound instruction in those kinds of "theoretical and practical knowledge which bear upon the different "branches of industry, whether manufactures or arts. Secondly, "adequate provision for the training and supply of teachers qualified to "give such instruction, and for the establishment of schools or isolated "classes to which the industrial population may have ready access, and "further for a proper system of examinations, whereby the work done in "the schools and classes may be tested." Well, I could not in so few words have better summed up the work which has actually been undertaken, and which is now going on. Later on, at page 9, he speaks strongly of the importance of the system of instruction and examination which had been already begun in the Science and Art Department, with which he is himself familiar. He says: "That system has already "effected an immense amount of good year by year; it is steadily "widening the sphere of its operations, and I conceive that the Livery "Companies could not employ a portion of their funds better than in "aiding the extension and perfection of the system independently of, but "in harmony with, the action of the Science and Art Department." And then, at page 11, he speaks of the great importance of the establishment of a central institution for the training and supply of teacher, and for the advanced instruction of students of exceptional capacity. "The "withdrawal of such persons from the centres of industry will not affect "the supply of labour, and it would be difficult, if not impossible, to "find a sufficient number of instructors of a higher order to equip train-"ing colleges in every considerable manufacturing district. The more "closely the matter is examined the more clearly it will appear that the "question of technical education turns mainly on the supply of teachers "good enough, but not too good, for the purpose. And I am of opinion "that the greatest service which at the present time could be rendered "to the cause of technical education in this country would be the estab-"lishment in London of a training college for technical teachers, fitted "with the requisite laboratories, lecture-rooms, and other appliances, "and provided with a proper staff of professors and other instructors." Then he goes on to say in what branches of knowledge instruction should

His Lordship's reference to Professor Huxley's indication of the special theoretical and practical knowledge to be supplied.

be given there, and that the building ought not to be too ambitious in its architecture, but should be constructed for practical objects; and he thinks, at page 15, that the current expense of such a college as he has suggested would probably amount to from 5000*l.* to 6000*l.* a year in salaries, wages, and material. "The number of students," he says, "would not make much difference, except in the greater or less demand "for assistant teachers," and so on. I need not read more, but I think the Commissioners who are acquainted with what has been done will be of opinion that it is not at least to any want of an honest endeavour to act upon those suggestions that, if we have failed or are likely to fail (which I do not think), the failure will be due. Having got these reports, the executive committee set to work, and their first operations consisted in negotiations with the Cowper Street middle-class schools in Finsbury, for the purpose of having temporary accommodation there to begin the work of a technical school there; and at the same time they negotiated with the Commissioners of the Exhibition of 1851 for a site for the central institution. I see that doubt has been thrown upon the prudence of the selection of the site at South Kensington; but the Commissioners will understand that the class of students who are to be trained for masters and teachers, and superior foremen, and so on, will not be those who are carrying on handicraft industries in London at the time, so as to make the difference between the West End and the East End of material importance to them; while, on the other hand, the immediate neighbourhood of the great scientific museums and other institutions which are in the neighbourhood of South Kensington made that neighbourhood apparently very desirable; in addition to which, I do not know that anywhere else, certainly upon such terms, a site so advantageous could possibly have been obtained. Those negotiations proceeded, and they ended in a lease upon very beneficial terms being obtained from the Commissioners of a very large and convenient site, where the building can be erected, and where there may be room for developing it, the rent being almost nominal, the term long, and the only stipulations such as the Commissioners most properly would make, namely, that the buildings should be erected and maintained, and that there should be a proper representation of certain scientific institutions upon the governing body. That lease was settled, not, I believe, actually granted, in August, 1880. In the meantime (on the 9th July, 1880) the Institute was incorporated, not by special charter, but under the general powers given by the Companies Act, the 23rd section of which abolishes the name "limited" where it is not a commercial undertaking. Perhaps I ought now to state what is the government. It might seem at first sight that, if looked at in detail, it was a cumbrous system of government. It does not work so, and I daresay those who are acquainted with the practical working of things can easily see why. There is a large body of governors. The actual number at the end of last year or the beginning of the present year was 169, and they are constituted chiefly by a proportionate representation of the contributors to the undertaking, according to the amounts of their contributions. The City of London and the Companies nominate governors upon this principle, and I believe any one who subscribes 100*l.* can nominate a governor. That is a sort of general meeting of the whole undertaking. Then under them is a council of fifty-five. They are also chosen with some proportionate reference to the supply of the funds. Under that council there is an executive committee of forty and that acts by four sub-committees, one for the central institution, one for finance, one for the Finsbury College (of which I shall presently speak), and one for the South Lambeth School of Art (of which I shall also speak), and for the

As to the site at South Kensington.

Incorporation of the Institute; nomination of Governors, &c.

technological examinations. The general body meets once a year, I think, not oftener, though it can be called together at any time. The whole council is summoned once a quarter, and it would be summoned at any time, if necessary; the practical work is of course done by the executive committee (of which Sir Frederick Bramwell is the real working chairman), and by the sub-committees under it. Then on all these bodies are the *ex officio* governors, of whom one is the Lord Mayor, and the other four were introduced upon the wise and valuable suggestion of the Commissioners of the Exhibition of 1851. They are the President of the Royal Society, the President of the Chemical Society, the President of the Institution of Civil Engineers, and the Chairman of the Council of the Society of Arts, whether they are or are not in any way connected with the subscribing Companies. The Commissioners are now in possession of the objects and the constitution of the Institute, and I will proceed to state what has been done. The first undertaking was to establish a college of applied science and art in the city, in immediate proximity to the Cowper Street Middle Class Schools, where temporary accommodation was originally given, and the first stone of that college was laid (Prince Leopold did us the honour to come for that purpose) on the 10th of May, 1881 (that is, last year), and I am happy to say that in the present year it is expected to be opened for work. In the meantime, under the accommodation which has been obtained from the middle class schools, the classes have been temporarily going on as well as they could. The object of that college is to provide systematic evening instruction for those who are actually engaged in the staple industries of the district, including cabinet-making, and the application of chemistry and physics to special trades. The classes which have been perhaps the most popular and the most largely attended, are those which relate to electric lighting, and some manufacturing operations of very great importance. That has been going on, and before I end I will give the numerical results of the work that has been hitherto done. The first stone of the Central Institution was laid by the Prince of Wales (who graciously accepted the office of President of the Institute) on the 18th of July, 1881, at South Kensington, the Princess of Wales being also present. Contracts have been made for that undertaking; considerable progress has been made in it, and the year after next we expect it to be opened. The whole cost of those buildings is estimated at, for Finsbury College 27,000*l.*, for the Central Institution (including fittings), 80,000*l.*, making 107,000*l.* altogether. Now I ought, perhaps, to mention the funds. The Corporation of the City of London has contributed, not to the building fund, but to the fund arising from annual subscriptions, and 28 Companies have done so. Towards the building fund special contributions have been made of 42,250*l.* in the whole, by four Companies giving 10,000*l.* each, two 1000*l.* each, and one 250*l.* The annual subscriptions in the first year, 1878, were 12,102*l.* odd; in the second year, 1879, 12,862*l.* odd; in the third, 12,965*l.* odd; and in the last year, 24,000*l.* The funds for meeting the buildings are, therefore, provided to a very great extent, by savings (of course there has been some expenditure in the work that has been going on) out of the annual subscriptions during those years, and by means of the funds specially contributed for buildings; and it is hoped that whatever deficiency there may be will be supplied by the liberality of the contributing Companies and others. I stated to the Commissioners that I would give them some numerical results of the work which has already been done, and first of all I will give them the figures applicable to the technological examinations which have been carried on in every year since 1879. I think they were taken over from the Society of Arts, which before conducted them. In 1879,

Cost of building and contributions to its funds. The annual subscriptions to the Institute.

the number examined was 202 at 23 centres, all in the provinces, Lancashire, Yorkshire, and so on, in seven subjects. In the next year, 1880, 816 were examined at 85 centres, and in 24 subjects. In the third year, 1881, 1563 were examined at 115 centres, and in 28 subjects; and in 1882, 1961 were examined at 146 centres, and in 38 subjects. I am surprised if the Commissioners do not think that that is evidence that there was a real want, and that the supply meets an increasing demand. With regard to the students receiving instruction more directly from the different schools and colleges of the institute, in the Technical College, Finsbury, in its present provisional state, there are now receiving instruction in the evening classes 500 students; at the South London School of Technical Art, which is intended for those artisans who are engaged in kinds of industry which require knowledge of, or aptitude for, art, there are now receiving instruction 158 students; that is in a building in the Kennington Park Road. Then there are two small numbers which I may mention in addition. In themselves they are insignificant, but they may develope. In the Horological Institute, which I presume is connected with the business of clock and watch making, there are 26 students, and in the School of Art for wood-carving there are at present 42. That gives 726 in the institutions which are under the management of the institute itself, even in its present half-developed state. In the provinces, the number of students in the provincial classes in connection with the institute for the purpose of its examinations is at present 3300. I do not know that I have myself anything that I need add in order to put the Commissioners fully in possession of the character and objects of the scheme, and of what has been done towards it, and what are its prospects of success. I think the Commissioners understand that the Central Institute mainly aims at the education of those who shall be teachers of technical knowledge all over the country, like the great institutions in Paris, in Zurich, and other places, but it is not confined to those who would be teachers; any who are desirous, with a view to being foremen or superintendents of works, or masters, or managers, of receiving a high technical education, will be welcome there, and as funds increase it is hoped that exhibitions may be founded in aid of the poorer students. I think I have now stated to the Commissioners the facts of the case, and any detail Sir Frederick Bramwell will now supply better than I can.

Students receiving instruction at the Technical College, Finsbury, the South London School of Technical Art, and Horological Institute.

(To Sir Frederick Bramwell.) May we ask you if you have anything to add to the statement which we have heard with so much interest from your chairman?—Very little indeed. There are one or two points, however, upon which I should like to make a few observations. The Lord Chancellor, in telling you the nature of the governing body of the institute, said quite correctly that the representation was to a certain extent based upon the amount of the contributions, but the Lord Chancellor omitted a point which I think should be made known to you, which is, that with the object of having on the council and on the executive committee representatives of Companies not contributing sufficient sums of money to entitle them to nominate persons on the council and on the executive committee, the governors elect a certain number of their own body to be councillors, and at least a moiety of those persons must be representatives of Companies not contributing a sufficient sum to entitle them to nominate councillors. Similarly on the executive committee the council elect a certain number of their own body to the executive committee, one-fourth of whom at least must be representatives of Companies not contributing enough to entitle them to nominate a representative on the executive committee, and in that way we have been enabled to ensure that all those who have aided us, and

Sir Frederick Bramwell explains the nature of Governing body.

who are men willing and able to work, should come upon every grade, if I may so call it, of the government of the institute. The Lord Chancellor further said that a certain portion of the funds required for the buildings would come out of the savings. That is so, but I wish to put before the Commissioners how it is that these savings arise, because I know that an impression has prevailed which has prompted the question, "Why do you want these funds if you are not spending them, but are "making savings?" The answer to that is found in the letter which was written by the Lord Chancellor, and signed by myself also, to the Commissioners of the Exhibition of 1851, a letter which I think is worthy the attention of the Commission, because it so well puts forward our views upon the matter. In that letter we were compelled to tell the Commissioners what it was that we were prepared to do in the event of their according to us the piece of ground for which we asked. We had therefore, in stating the objects we had in view, to say that we were willing to undertake to spend a minimum sum upon the building, that the building should be made reasonably in accordance with the wishes of the Commissioners, and our willingness to undertake that when the building was completed there should be devoted at least a certain sum (5000*l.* a year) to the maintenance of that building for the purposes of the institute. That being our undertaking it obliged us to set apart from our funds the sum of 5000*l.* a year until the building was completed, because it was quite evident, if we appropriated that 5000*l.* a year, pending the completion of the building, to some other purposes, we should not be able, when the building was completed, to withdraw it from those purposes, and we should be left without the means of fulfilling our obligation; and not only without the means of fulfilling our obligation, but without the means of utilizing the building we had constructed. It is in that manner that the savings of income accrue. The Lord Chancellor also did not say, that which it may interest the Commission to know, that among the students in the applied art schools there are a very considerable number of female students who are learning the art of wood engraving, and doing that very successfully. I cannot add anything to that which the Lord Chancellor has said as regards the way in which the institute came into existence, and as to what was done, except this, by-the-bye—a step that was omitted—which, is that after the preliminary committee had obtained the advice of the gentlemen whose names you have heard (and also of Mr. Bartley, whose name was not referred to), a report was drawn up by the Committee and was submitted to the eleven Companies who had sent their representatives to the preliminary committee; and I may say that in every instance that report was received and adopted by the Company who had sent its representative, and that thereupon the institute came into existence, having for its members the eleven original Companies. The Corporation also from the outset sent representatives, but it was some time before they contributed. However, they sent such a number of representatives as upon our scale they would have been entitled to send had they contributed 2000*l.* per annum; the contribution they eventually gave, guarding themselves, however, by saying that they only gave it certainly for five years. When the institute was established, it was determined that there were four main heads of work it might forthwith be engaged in; and I think it will be found, as you have been told, that these heads agree very closely indeed with those set out in the advice which was given us by Professor Huxley. The four heads were the establishment in London of a central institution for the instruction of teachers, principals, managers, foremen, and leading workmen; the establishment in one or more places in London of schools where the application of science and

Lord Chancellor Selborne and Sir Frederick J. Bramwell's explanatory statement as to the application of funds.

art to the industries could be taught; the aiding pecuniarily of other institutions in London or the provinces, providing exhibitions, apprentices' fees, and matters of that kind; and the taking over from the Society of Arts and the developing their technological examinations. You have been told fully what has been done with respect to the central institution; but I may mention that Mr. Waterhouse was the architect selected, and that the design he has produced is one which, while not of a meagre and improper character for the neighbourhood, or for the land which we have had given to us, is by no means ostentatious, and by no means extravagant, and that the greatest possible attention has been paid to internal accommodation for the work of the building, much more attention than to the mere decoration of the outside. With respect to the school at the Finsbury College, I may mention in addition to that which the Lord Chancellor has told you, that it has taken over the work of the Artisans' Institute, which is now being carried on in that college; and also quite recently it has taken over the work, or is about to take it over, of the City School of Art, an old-established school of art, which will have to be accommodated in that building likewise. Then, as regards the pecuniary aid to other institutions, we give 200*l.* a year to the Chair of Engineering at University College, London; 200*l.* a year to applied chemistry at that college; 200*l.* a year to applied art at King's College, and 200*l.* a year to a metallurgical professorship there; and we have given very large sums indeed for the establishment of the laboratory and works at King's College. Also in the country we are subsidizing, although not to so large an extent, certain institutions. At Nottingham, for example, we have recently endowed a chair in the new university to the extent of 300*l.* a year; and I may say that one of the Companies, the Drapers', who have contributed very largely indeed, have added to their contributions quite recently a sum of 500*l.* a year, on the condition that it shall be devoted entirely to the purpose of aiding provincial institutions. With respect to technological examinations, the Lord Chancellor has told you of their great development; but I wish to point out to the Commission that in truth these are not mere examinations to ascertain that which is known by the person who comes up to be examined, but that as we pay the teachers by the results they are the means of joining and of assisting to support classes for institution, but I wish to add we do not make it a necessity that the person examined should have been instructed in any particular class or school. We examine him and give him a certificate, whether he has been taught in class or is self taught, but we do not give him his full certificate unless he has passed in two science subjects as well. Reverting to the Central Institution, I wish to say that the site was selected for a variety of reasons. As the Lord Chancellor has said, having regard to the fact that the education which was to be given there could not be given to persons who were at the time engaged in industrial pursuits, as their whole time must be devoted to the education; it was thought that it was not important the Central Institution should be in the neighbourhood where the artisan classes principally dwell. We did think it was important that it should be in a place readily accessible to persons living in comparatively cheap houses or lodgings in the outskirts of London (and almost any site that was within easy reach of a station upon the Metropolitan Railway or the Metropolitan District Railway, having regard to their extent and ramifications, would fulfil that condition), but then the special reasons for selecting South Kensington from among all the places in the neighbourhood of stations on these railways was that our school of applied science and art would be established close to the science schools where there are hundreds of

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persons being educated in science and in art who, after having passed a portion of their time there, might come over to our school as (if I may use the term) "half-timers," and eventually come to our school altogether when they had completed their studies on the other side of the way. Those were reasons, therefore, for selecting that place. Then again, I will not conceal from you that there was the pecuniary reason that we did not want to spend money for land if we could get it for nothing. If the letter to which I have referred were read, you would see we pointed out to the Commissioners that we thought there could be nothing more germane to the original objects of the Exhibition of 1851, the Exhibition which brought the Commissioners into existence, and that there could be no better following out of the views of the late Prince Consort, and of those who initiated the Exhibition, than the devotion of this land at an absolutely nominal rent—a peppercorn rent—to the purposes of the City and Guilds Technical Institute, and that by so doing that would be really following the views which initiated the original Exhibition.

The Chairman, LORD DERBY: May I ask you just as a matter of explanation whether your work in London is now, or is to be in the future concentrated at South Kensington?

SIR F. BRAMWELL: No; certainly not. On the contrary we have got Finsbury College, where we have 500 pupils at the present time, and we have got our school of applied art at Kennington.

The Chairman, LORD DERBY: That was the object of my question; to ascertain that those were not swallowed up?

SIR F. BRAMWELL: Clearly not. We hope that that Finsbury College will be a typical college, representing the kind of establishment we should like to see throughout the kingdom in manufacturing places. I further desire to say that in the outset the work of the Institution was done entirely by the three honorary secretaries who sit behind us, Mr. Watney, the clerk of the Mercers' Company, Mr. Sawyer, the clerk of the Drapers' Company, and Mr. Owen Roberts, the clerk of the Clothworkers' Company; then we obtained temporary aid from Mr. Truman Wood, who was at that time assistant secretary of the Society of Arts, by the permission of the council of that society; but as the work developed it was impossible to carry it on in this manner, and it therefore became necessary to find some gentleman of competence who would devote his whole time to it. That was done, and I am happy to say that by the appointment of Mr. Philip Magnus as director and secretary, I think the Institute has been very greatly benefited. I am reminded that Mr. Magnus is a member of the Royal Commission on Technical Education which is now considering the whole subject.

LORD SHERBROOKE put this question:—

Can you tell us at all what sum has been spent upon this good work?

To which the LORD CHANCELLOR replied,—

It is not all spent. The total amount of the annual subscriptions down to the present time I may say is 63,000*l.* in round numbers, and the sum subscribed for the building funds, 42,250*l.*; that makes 105,000*l.* That is for the Institute alone. The Clothworkers' Company have done something beyond that.

Do you see any prospect of any great increase in this work, or do you think it has reached the limit?

My impression is that when it is well started and the two colleges are fully at work, that whatever funds are wanted to keep them going on are pretty sure to be supplied.

You could not go further than that?

No. I have read a passage from Professor Huxley's report, in which

he estimates the probable cost of the Central Institution at 5000*l.* to 6000*l.* I daresay it would be more. Sir Frederick Bramwell.

I daresay you could not tell us what the incomes of the persons and the different Companies that subscribe to this work are?

No, I cannot tell you that.

The Chairman, Lord Derby (to Sir F. Bramwell): Is there anything you wish to add to the evidence you have already given?

The Lord Chancellor: Yes, I think I should like to say, as bearing upon the question of whether this work is likely to develop, that undoubtedly the advantages to be derived from it will largely develop when the Central Institution is opened. We have funds sufficient to carry it on to more than the extent stipulated with the Commissioners. I have already explained that the savings from income which will go towards the building fund are the portions of that income which, when the building is open, will be applied to its work, and there will be then a very large development of the useful work done by the Institute. And further, as far as my opinion goes, I have no doubt whatever if the Companies are left in the control of their funds, that they will not neglect that which they have begun, and that they will find such funds as can usefully be applied to the purpose. I have not the slightest doubt about it. I speak of one Company with very great confidence, and should like to give the Commission an instance of what they thought fit to do when they doubled their subscription, as they did a short time ago, and raised it from 2000*l.* to 4000*l.* a year. The raising of that subscription entitled them to send two more members to the Executive Committee. They had previously sent Mr. George Matthey, a Fellow of the Royal Society, and a most scientific metallurgist, and myself as their representatives. They were then entitled to two more. They had plenty of members of their own court, well-qualified men, but they thought they could do better than send any man from their own court, and accordingly they made Dr. Siemens a liveryman by special grant, with the express object of being able to send him as one of their representatives to the Executive Committee, in the belief that that would be for the benefit of the Institute.

Viscount Sherbrooke (to Sir F. Bramwell): Do you consider that there is no risk, that you may not overstock the market in this manner; how are you to judge?

Sir F. Bramwell: I do not think you can overstock the market in this manner, because really that which we are doing is instructing men how to carry on their business with knowledge instead of without knowledge, and I cannot for one moment contemplate that our efforts, however great they may be, can ever exceed the extent of the manufacturing industry of the kingdom.

Viscount Sherbrooke continues: Is it not also attracting people into a line of business that they would not, except for this inducement, have ever thought of going into?

Sir F. Bramwell: It does appear to me to be so. What it does appear to me to be is this, that persons being engaged in business, or having a taste for business, will be enabled to undertake that business with a knowledge of what they are doing instead of being compelled to undertake it upon the sort of rough practical teaching that they otherwise would have gained, and which they would alone have gained.

Lord Sherbrooke: Is not the demand of the public for all things a surer guide than the speculations of any number of gentlemen who wish to set a thing of this kind on foot?

Sir F. Bramwell: I do not know that I follow you. I do not know that there was a demand for technical education a few years ago. It was a thing comparatively unknown in England, and we were being beaten

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by foreigners. When we examined into it we found that they had institutions of this kind throughout their countries, and we believed it to be mainly owing to those institutions which they had got, but which we had not, that we had been put into the position we occupied in manufactures.

Sir R. Cross (to Sir F. Bramwell): As I understand, one of the principles you lay down is that the real practical learning of a trade must be in the factory and the workshop?

Sir F. Bramwell: Yes.

You do not mean to interfere with that at all, but to enable a person who goes to the factory or workshop, to go there with superior knowledge and to put it into use there?

Precisely so. I should very much like to refer you on that to the original report. We do not profess to teach the business, we only profess to teach the application of the science or the art that underlies those businesses. The report to which I refer was the original report of the preliminary committee to the Companies, who had appointed it to investigate the subject. It was called an executive committee then, although that is not to be confounded with the present executive committee of the Guilds Institute, as incorporated. Paragraph 6 of that report says:—"It appears to your executive committee "that, except in some very special instances, such as the introduction of "a new industry, or the revival of an old one, the Companies should not "endeavour to effect this improvement by teaching the workman to be "more expert in his handicraft; as in their judgment this form of im-"provement is one which must be derived from greater assiduity in the "workshop, and from longer practice therein, and they therefore are of "opinion that, except in special cases, it would be unwise to establish any "place for teaching the actual carrying out of the different trades; that is to "say, a place in the nature of a model manufactory or workshop, or to provide "instructors, for instance, in sawing and planing, and in chipping and "filing; but they advise that the direction to be pursued in improving "technical education should be one which will give to those employed in "manufactures the knowledge of the scientific or artistic principles upon "which the particular manufacture may depend. As illustrative of these "views they would refer to two great industries, iron and textile fabrics. "With respect to iron, it is believed it would be unwise to endeavour to "improve that manufacture by instructing a puddler how to handle his "tools in a superior manner, or the blast furnaceman how to manipulate "his furnace; but on the other hand, your executive committee think it "would be of great utility to give to such men (and especially to the "managers of iron works) the scientific instruction which will enable "them to know why it is that occasionally, in spite of manual dexterity, "and in spite of attention, the puddle-bar is bad, or the pig iron is un-"unsalable, except at a reduced price. The application of the science of "chemistry to the manufacture of iron affords this knowledge. Instructed "in such application, the ironmaster, his manager, his foreman, and even "his workmen will know how, when varying fuel, or varying mineral or "fluxes, are brought under treatment, to alter that treatment to suit the "particular foreign (and commonly noxious) matters which are found "accompanying the fuel, the flux, or the ore, and how, notwithstanding "these admixtures, to succeed in producing an excellent quality of iron." I should like to break off there to remind the Commission of what has been done in the enormous improvement in the manufacture of Bessemer steel by the introduction of an entirely new chemical process which has enabled the phosphoric iron ores of the Cleveland district to be successfully used for Bessemer steel in substitution of the hematite ores, which alone had been found fit for that purpose previously. "Similarly, as "regards the manufacture of textile fabrics. While in the opinion of

"your executive committee it would be unwise to follow the plan which "has been pursued in some places upon the continent of endeavouring "to give extra dexterity to the operative by establishing model manufac- "tories or workshops, it would be most wise to give the chemical know- "ledge and the artistic instruction which would enable the worker to "grapple with differences in the quality of water, differences in the "quality of dyes and of the materials to be dyed, and would likewise "secure the designer from violations of the canons of good taste, and "your executive committee are glad to say that in the foregoing views "they are, without exception, fully supported by the reports of those who "have kindly assisted them with their advice." Sir Frederick Bramwell.

Viscount Sherbrooke (to Sir F. Bramwell): How do you estimate the number of persons who are to be taught? Do you take as many as choose to come?

Sir F. Bramwell: I think we may safely for a long while take as many as choose to come, and that we have funds for.

How do you know that there will be employment for all those people?

I am sorry to say that they must take their chance of that, I presume, as they would have had to have taken if they had been less well educated, but I should think they would have a better chance when they are well educated.

Do you think that that necessarily follows?

I think so. I do not think we are about to add directly to the number of the persons who will go into an industry, but that we are about to enable those persons who do go into any business to carry on that business with better knowledge.

Suppose you were to educate a number of persons in any particular trade, do you think that would at all make it certain that there would be employment for those people?

I do not think it would make it certain, but I think they would stand a better chance, because I think if we so educate them we shall bring trade to England which would otherwise go elsewhere, where the people are educated; and I think that they will stand a better chance because there will be more trade to do, and because employers would rather have them than others who are not so educated.

Do you not think that by throwing aside the ordinary safeguard of supply and demand, you run very great risk of bringing up people to employments that they may not be able to find means of fulfilling in a lucrative manner?

I cannot agree with you, to begin with, that we are bringing up people to follow employments at all. My view of the matter is that persons having contemplated following certain employments, we are simply aiding them in learning the business they had already intended to follow.

You do not think that your aiding them has any effect in increasing the number?

I do not think it has immediately, although it might remotely, in this way, it may increase the trade by reason of the work being better done, and therefore a greater number may go into it.

The Lord Chancellor here observed: I cannot help thinking that Lord Sherbrooke's view, as indicated by the questions he has put, is to a great extent met by the experience of foreign countries, because both at Paris and Zurich, and at other places there are very much larger institutions of this kind than we can for some considerable time hope to establish here, and I believe there is not the least doubt entertained that they are found very beneficial to the arts and manufactures of those countries.

Mr. Alderman Cotton (to Sir F. Bramwell): I should like to ask you one question; do you not think that the building at South Kensington,

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upon which you are going to spend the bulk of your funds, and have spent the largest amount of your money is badly situated for the use of the artisan and labouring population?

I have endeavoured to explain that we do not expect that at that building persons who are engaged at the time in labour will be instructed. We intend that for the higher class of teaching, and for such teaching as will involve the persons who are taught not being at that time engaged in labour at all; and if, therefore, the building is accessible to those living in the cheap parts of the outskirts of London, we think it is a thoroughly suitable site. I have given the reasons why on other grounds we thought it an extremely suitable site. I may say if we had the matter to do over again, with all the experience we have got upon it, I think we should be doing rightly to do as we did before, and to approach the Commissioners to give us this piece of land.

Mr. James (to Sir F. Bramwell): It will be admitted that the basis of all technical education must be general education?

Sir F. Bramwell: Yes.

Mr. James: I should like to know whether, in the case of any of the pupils who have presented themselves to your college, you have found that their general education has been so deficient that the endeavour to engraft technical education upon that deficient general education has been of no use?

Sir F. Bramwell: I do not think we have, up to the present time, at all suffered from that. I think there has been a sufficient amount of general education to enable them to appreciate the instruction which has been given. It may be that some have been debarred from coming, because they had not got this general education to begin with, but all those who have come, so far as I know, have been able to profit by it.

Mr. James: The distinctions between classes in this country are not very closely drawn, but I imagine that your pupils are drawn from the class of those who might be termed the middle class rather than from the distinctly working class?

Sir F. Bramwell: I doubt if that is so; at all events it is not so at the Finsbury College. The other is not open yet, and the Finsbury College we have put in the very heart of a large artisan population.

Mr. James: Of course the distinction between the two is one that is very difficult to define!

Sir F. Bramwell: And I may say that the technological examination shows that the persons who come to those classes are distinctly the working class.

Mr. Alderman Cotton (to Sir F. Bramwell): Are you not going to teach at South Kensington precisely what is taught in the building opposite, that is, in the Science and Art School of the Museum?

No, on the contrary, we hope that after persons have been taught *there*, they may come to us to learn the application, to actual manufacture, of that which they have been taught over the way.

Viscount Sherbrooke (to Sir F. Bramwell): You are then inviting people to enter upon a particular kind of industry that they would not otherwise have entered into but for your invitation?

I again regret to have to say I cannot agree with you. To my mind, if a man opens a general shop, he cannot be said to invite any one to buy candles at that shop any more than he invites him to buy soap. We are going to open an institution where we shall give instruction as to the application of science and art to various industries. That does not seem to me to be an invitation to people to follow a particular business.

Lord Sherbrooke (to Sir F. Bramwell): I thought you said that a number of people would be attracted to certain businesses?

I did not intend to convey that by my answer.

Lord Coleridge here remarked: I understand you to say that indirectly only trade might be increased; and, therefore, as there would be more trade to do, there would be more people required to do it?

Sir F. Bramwell: That is so.

Lord Coleridge: Because it would be better done?

Sir F. Bramwell: Because it would be better done.

ON THE ELEVENTH DAY OF THE INQUIRY.

Evidence on behalf of the City and Guilds Technical Institute.

Mr. William Spottiswoode, President of the Royal Society, was examined on behalf of the City and Guilds Technical Institute.

The Chairman, Lord Derby: I need not ask you whether you are the President of the Royal Society?

I am.

Evidence of Mr. Wm. Spottiswoode, President of the Royal Society, on behalf of the City and Guilds Technical Institute.

And you have come here, as I understand, to give evidence on behalf of the City and Guilds Technical Institute?

I have.

Probably you will prefer to make a statement in your own way, as I am not aware of the particular points to which you desire that it should be directed?

It is generally admitted that the British workman is not inferior to his continental competitors in ability to work, in precision, or in dexterity of hand; but that he is outstripped by them, owing to a better knowledge on their part of the principles on which his handicraft is (often unconsciously) based, and a better acquaintance with the nature and uses of the materials which he employs. This knowledge forms part of general science, and may be made a part of an educational system. In many parts of the continent a wider dissemination of scientific instruction, together with better systematized modes of teaching in the secondary, if not in the primary schools has long prevailed, and has raised the general level of information on these subjects considerably above that which is to be found here. In addition to this, technical schools of one kind or another, on a very large scale, have been instituted; and it is believed that the superiority of foreign manufacturers, as evinced by successful competition, is largely due to technical instruction. The object proposed in the City and Guilds of London Institute has been to supply this defect in the education and training of our manufacturing population, by providing and encouraging education adapted to the requirements of all classes of persons engaged, or preparing to engage, in manufacturing and other industries. With this object the Institute subsidizes existing educational establishments, which, in the opinion of the Council, are providing sound technical instruction, and which would languish except for external aid. It also encourages in the principal industrial centres in Great Britain the formation of evening classes, in which workmen and foremen engaged in their several factories during the day receive special instruction in the application of the principles of science to the explanation of processes with which they are already practically familiar. It establishes and maintains in the metropolis model technical schools, to serve as types of other schools to be established by local efforts in provincial towns; and lastly, it is erecting a Central Institution, corresponding to some extent to the great polytechnical schools of Germany, Switzerland, and Italy, and to the École Centrale of Paris. With this varied programme the City and Guilds of London

Mr. Wm. Spottiswoode, President of the Royal Society.

Institute is assisting, as efficiently and at the same time as economically as it can, in the professional instruction of all classes of persons engaged in industrial operations, of artisans, apprentices, foremen, managers of works, manufacturers, and technical teachers. The Council of the Institute has no intention of interfering with any existing social institution, such as apprenticeship, or any other relationship between employer and employed, but aims only at supplying the want of further instruction, which is everywhere felt to exist, by supplementing and by preparing pupils more thoroughly to profit by workshop training. For the actual training of workmen engaged in manufacturing processes apprenticeship schools, as they exist in France, are not recommended for imitation in this country. That the factory is the place in which skilled workmen engaged in manufacture can best be trained, is an opinion in which most of the leading manufacturers of this country and of the continent concur. In all the large manufacturing towns evening classes in technology, which are not State-aided, as are the classes in pure science and art, are being assisted by the Institute. The work done by the students of these classes is inspected and examined by the Institute, and on the results of the annual examinations certificates and prizes are granted, which are frequently regarded as diplomas of proficiency, enabling operatives to obtain better employment and higher remuneration. These evening classes have already become, and are likely to be still more in the future, the nuclei of technical colleges, mainly supported by the towns in which they are situate, but connected with and affiliated to the City and Guilds of London Institute, by means of its examinations and superintending influence, much in the same way as other colleges are connected with a central university. The Technical College, Finsbury, which will shortly be ready for occupation, has been erected to serve as a model technical college, and to provide for the instruction of artisans and others in the City of London, and in the district of Finsbury. It already, in its temporary premises, contains a school of applied science. It provides systematic evening instruction for those who are engaged in the staple industries of the district, including cabinet-making, and in the application of chemistry and physics to special trades, such as spirit-rectification, electric lighting, &c. What the technical college is to the east and north-east of London, the art school is to the south-east of London. This school, situated in the Kennington Park Road, is intended to provide instruction for artisans engaged in various industries in which art aptitude is indispensable to success. The courses are for evening and for day students, for men and women, and the eagerness with which the instruction is received, and the numbers applying for admission, necessitating already a considerable extension of the building, show how much needed is this kind of supplementary training, and how highly it is appreciated by those for whom it is provided. The Central Institution is to give to London what it so much needs, a first-class college, in which those who are to be engaged in the superintendence of great industrial works may receive their training, and in which technical teachers for the provincial schools may be educated. The establishment of this Central Institution will, it is hoped, render unnecessary the constant appeal to foreign countries, where similar institutions already exist, for managers of works, engineers, and industrial chemists, and will be welcomed by manufacturers who feel the want in London of some such institution in which their sons who are to succeed them can obtain as good an education as at Paris, Zurich, Carlsruhe, or Berlin. Just as the École Centrale at Paris is about to be removed to the immediate neighbourhood of the Conservatoire des Arts et Métiers, in order that the students may be near to

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the collections of machinery and other industrial objects which the Conservatoire contains, so the Central Institution of London is being built near to the science schools and national museums of South Kensington. By erecting the institution in this district a great saving of first outlay and of annual expense will be effected, as the students during their first year's course will be able to avail themselves of the teaching of pure science which the new Normal School of Science now provides. That all intelligent and effective use of natural objects must be based upon a knowledge of their properties, and the mode in which they act upon one another, is a statement which can hardly be questioned. But inasmuch as the majority of handicraftsmen, indeed the majority of the community at large, can attain to but a very limited measure of knowledge, it is in the highest degree important that the amount to which they do attain, and the facts which they can acquire and retain, should be selected in the best manner, and presented to them in the clearest and most useful form possible. In proportion as this is neglected, their minds will either remain fallow, or, being temporarily burdened with undigested matter, will relieve themselves of their burden at the first convenient opportunity. It is on this account that the promoters of the present undertaking have considered that some elements of scientific instruction should be a part of their charge, and should form an essential element of the scheme; and further that in its more advanced branches, as developed in the curriculum of the Central Institution and in the technological examinations, some evidence of scientific knowledge should be pre-requisite to the attainment of the highest distinctions. By science it should be understood that we do not mean anything scholastic or academic, or a course of study leading directly to research; but merely that knowledge of principles and of leading facts which, when properly taught, is within the grasp of all persons of average intelligence. Upon the quality of the teaching very much will depend, and the importance attached to this point is evinced in the "qualifications of teachers as recognized by the Institute." The following is an extract from the regulations: "The examination in most "of the subjects will be in two grades—I. ordinary ('or pass'); II. "honours. The ordinary or pass examination is intended for apprentices "and journeymen; the honours examination for foremen, managers, "and teachers of technology; but candidates may enter themselves for "either grade. The following classes of persons may on application to "the central office be recognized as teachers to the Institute. (A.) "Any person who obtains or has obtained a full technological certificate "in the honours grade, or who has already obtained a full certificate in "the first class of the advanced grade (programme 1881) of the subject "to be taught. (B.) Any person who is engaged in teaching science "under the Science and Art Department, and who makes application "to be registered not later than March 30th, 1882, after which date "no person who is not qualified under A. or C. will be registered. (C.) "Persons possessing special qualifications, to be considered by the "Institute, for teaching technical subjects." The nature of the teaching contemplated in the technical schools, and, indeed, actually going on at the college in Finsbury, will be best seen by the programme of the classes and lectures for the present session. These comprise the heads of technical chemistry under Professor Armstrong, and technical physics under Professor Ayrton. To these there has recently been added technical mechanics under Professor Perry. I will, with your Lordship's permission, put these appendices in, merely making a few extracts from them at this moment. "The Chemical Laboratory will be open daily "(Saturdays excepted) from 10 a.m. to 5 p.m., and on Monday and

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"Friday evenings from 6.30 to 9 for students desiring individual in-
"struction." "There will also be the following classes and lectures.
"Dr. Armstrong will deliver a course of lectures introductory to the study
"of various branches of applied chemistry on Wednesdays at 10 to 11,
"and on Fridays at 2 to 3, commencing October 5th. A laboratory class
"specially suited to students attending this course, will be held on
"Wednesdays at 11 to 1 and 1.30 to 3.30, commencing October 5th.
"In connection with this course, Mr. Evans will discuss exercises, &c.,
"and give a series of lecture demonstrations at a time which will be
"arranged to suit the convenience of the class. A course of laboratory
"demonstrations in organic chemistry will be given by Dr. Armstrong on
"Monday evenings at . This course is principally intended for
"distillers (including coal-tar distillers and spirit rectifiers), and will be
"suited for candidates in Subject 4 at the technological examinations;
"but it is hoped that students who have attended a previous course on
"the chemistry of brewing may be able to continue their attendance, and
"that new students of this branch of organic chemistry may also present
"themselves. Students desiring to obtain a knowledge of the chemistry
"of bread-making should attend on this evening. On the same evening
"at 6.30 to 9, Mr. Evans, chief assistant in the chemical laboratory, will
"give a course of laboratory and lecture demonstrations on the properties
"of the more important metals and metallic compounds, with reference
"to their practical applications and their analytical determination and
"estimation. Copper, iron, lead, silver, tin, and zinc will be the metals
"principally treated of, and the wants of plumbers and metal-workers
"generally will be as far as possible considered. Dr. Armstrong will
"commence on Friday, October 7th, a course of lecture and laboratory
"demonstrations on fuel, with special reference to coal gas as a heating
"and illuminating agent. Laboratory class, 6.30 to 8.30; lecture,
"8.30. Candidates in the subject fuel at the technological examinations
"may with advantage attend this course. In this course the principles
"on which combustion depends will be fully explained and illustrated;
"also the methods of determining the heating power of fuels. The
"properties of the several fuels, their composition and their heating
"powers, will be demonstrated; and the relative advantages of various
"fuels and the different modes of applying heat will be discussed. Sub-
"sequently, the determination of temperature, the temperatures required
"for and obtained in various technical operations, and the circumstances
"affecting the combustion of fuels, will be considered. Illuminating
"agents will form the subject of the latter part of the course, but it is
"important that students who may desire to specially devote their at-
"tention to this subject should attend the earlier part of the course. In
"the laboratory course the students will have the opportunity of experi-
"mentally studying the laws of combustion, the properties of fuels, and
"the method of determining their composition and heating power, and of
"instituting various experiments with fuels. Later on they will take
"up the subject of illuminating agents." Then in technical physics:
"The physical laboratory will be open daily (Saturdays excepted)
"from 10 to 5 p.m., and on Monday and Wednesday evenings from
"6.30 to 9.30 for students desiring individual practical instruction in
"technical physics." Then there are courses on electricity, magnetism, and other subjects, the particulars of which will be seen in the documents which I hand in. (*The documents were handed in. Vide Appendix.*) The scheme in its integrity undoubtedly offers attractions and inducements to comers of all kinds; and it contemplates even an extension of these inducements from time to time, as the liberality of corporations or of individuals may provide the means. But it must

not be forgotten that the inducements are mainly opportunities to work, and not prizes in themselves. The substantial rewards of success in our courses are to be found not in the institutions themselves, but in the workshops and the manufactories for which they are a preparation. The main inducement to study and training here will be measured not by anything that we have to offer, but by the prospect which the industry of the country may hold out for the employment of well-qualified men or women. There is therefore little or no fear that this scheme will in any way overstock the market in which the ordinary laws of supply and demand will operate as usual. There are, however, some peculiar circumstances relating to manufacturing industry, which render special efforts to promote the education of persons aspiring to the higher grades of employment desirable or even necessary. There is, in fact, at the present moment a great dearth of superior men in manufactories. This is partly due to the fact that the processes and appliances are so much more elaborate and refined than heretofore, that an amount of intelligence and knowledge formerly adequate is now inadequate. But it is also due to the increased sub-division of labour, which obliges the artisan desiring to rise to any degree of efficiency to devote his whole energy and attention to his special province, even to the exclusion of a knowledge of other branches of his trade. Or again, turning to the lower grades of employment, if any apology or plea be necessary, a thing which I do not admit, for encouraging young persons to follow handicraft trades, ample reason would, I think, be found in the growing tendency to prefer monotonous and unpromising employment at the desk, clerkship and the like, at a comparatively low salary, to work in the factory with all the advantages which energy and skill are there certain to command. I cannot, I confess, look with satisfaction or with hope upon a generation which reckons the ease and the respectable mediocrity of the one as superior to the rougher but almost illimitable possibilities of the other. And anything, therefore, which will raise the tone, or improve the prospects, or in any way add dignity to handicraft life, may be hailed as a measure which may influence the community far beyond the limits of the special industry for which it may have been devised. I venture to advert to another point; it has been suggested that, instead of setting up a new organization on so large a scale, the method of apprenticeship schools might have been adopted, as has already been done with good effect in France and, in some degree, in Austria. It has, however, been already explained that the Council of the City and Guilds Institute have not considered it their province to interfere with the existing system of apprenticeship. Nor, indeed, has the suggestion of these schools received sufficient general support in this country to justify the expenditure of any part of the present funds upon such an object. Another suggestion was also made, by way of alternative to part of the present scheme, namely, that the board schools might have been turned to account by introducing into their course an element of manual work. This, however, would not at all fulfil the objects of the Institute, as it would simply then form part of the general scheme of public elementary education, and could only at the most be a first step towards our main purpose, the training of the workman. There are a few additional remarks, supplied to me by Dr. Magnus, our secretary and director, who has lately returned from a tour of inspection on the continent, which, with the permission of the Commission, I will read. "With "primary instruction this Institute has not attempted to interfere. In "France a technical element is being introduced into primary schools, by "giving instruction in the use of tools as employed in wood and iron "work; but in this movement France is not being followed by Switzer-

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"land, Germany or Italy. It might perhaps be desirable to introduce "workshop instruction into some of our primary schools, not, however, "for the sake of teaching a trade, but only as a means of improving the "manipulative skill of the pupils, and of arousing in them a taste for "manual work, and possibly also of shortening the period of apprentice-"ship. In intermediate or higher elementary education the Institute "has indirectly taken some part by establishing a working relationship "between the Finsbury Technical College and the Middle Class School "in Cowper Street. The teaching of science to the advanced pupils in "this school has already been handed over to the professors of the college, "and if the relationship at present existing could be made still closer, and "the school could be brought under the direct control of the Institute, a "technical school might be created in London which would serve as "a model for the establishment of others throughout the kingdom. The "Institute's Technical College at Finsbury, whilst representing the third "grade of technical instruction, does not correspond, and is not intended "to correspond, exactly with any foreign type. It is hoped that when com-"pletely equipped and in good working order it will represent the newest "and most generally approved methods of technical instruction, and will "give the best teaching that can be obtained to young men during or prior "to their apprenticeship, as well as to workmen and foremen. A depart-"ment for the teaching of applied art, which is indispensable to a technical "college, is still wanting at Finsbury. But it is satisfactory to know that "although adequate accommodation for the art classes which are about to be "formed cannot be found in the new building constructed for science "teaching only, arrangements are in progress for the addition to our "present teaching staff of an art master, so that work may be com-"menced at the opening of the next session in such temporary pre-"mises as may be found available. In the Institute's scheme the "highest grade of school will be represented by the Central Institution. "Very great differences exist in the systems of higher instruction "pursued in the *Ecole Centrale* of Paris, in the polytechnics of Germany, "and in the superior institutions of Italy. The Germans themselves are "not altogether satisfied with the instruction afforded in their own "schools; and costly and magnificent as these buildings are, I should not "be disposed to hold them up for entire imitation in our own country. "In the arrangements, however, that will be made later on for the curri-"culum of studies to be pursued at the Central Institution, the experience "that has been gained during many years in the working of the French "and German schools will undoubtedly prove serviceable; but it may be "confidently expected that the Central Institution as a high school "of technical science and applied art will be in many respects superior to "any similar institution abroad. Indeed, the progress of this institution "is watched with considerable interest by professors and others in Ger-"many, Italy, and elsewhere, as an instructive experiment, which may "not be without effect upon their own schools. At present, owing to "the depression of trade and to the almost entire completion of the rail-"way system of Germany, the polytechnics are less well attended than "was the case some few years since; but notwithstanding this falling off "in the number of students, fresh efforts are being constantly made to "improve the efficiency of these institutions, and large sums of money "are being expended in the erection and fitting of new laboratories. In "Zurich it is proposed to erect new physical and chemical laboratories at "a cost of between 50,000*l.* and 60,000*l.*, in addition to those already "attached to the polytechnic. In Bonn plans have been prepared for a "new physical laboratory in connection with the University. In Han-"over the Welfenschloss erected some years since as a palace for the

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"king has only recently been converted at a very considerable cost into a "polytechnic school. Of the value of this higher scientific training in "the development of the industries of the country, the Germans "themselves have no doubt. To it they ascribe the successes "they have achieved as engineers and chemists; and it is noteworthy "that the majority of those who have been engaged in great engineering "works, such as the St. Gothard Tunnel, and in the erection of the "splendid bridges that span the Rhine and the Moselle, have been "trained in the polytechnic institutions, whilst to the higher chemical "attainments of the Germans is certainly due the marked success they "have achieved in the manufacture of colouring matters, an industry "which has assumed large proportions in Germany and Switzerland. In "fact, the discoveries which have led to this trade have been mostly "made in Germany, and are to a great extent the result of the large "number of well-furnished laboratories, and of the general diffusion of "advanced chemical knowledge in that country. In the Central Institu- "tion at South Kensington it may not be possible to furnish engineering "and chemical laboratories on anything like the same scale as those "which are founded in connection with the polytechnics and universities "abroad, but the arrangements for the teaching of practical physics, "and especially the various applications of electricity to industrial pur- "poses may be, and it is to be hoped will be, superior to those found in "any of the foreign physical laboratories which I have seen. Nothing "that bears comparison with our system of Government examination in "science nor with the Institute's examinations in technology is found "anywhere on the continent. At the same time the opportunities afforded to "apprentices and workmen to obtain supplementary evening instruction are "very great, and in some cases, particularly in the schools supported by "special societies, this instruction is more systematically developed than "in England. Our examinations in technology, originally intended to "test a candidate's knowledge of the technology of certain trades, have "become, under the direction of the Institute, the means of stimulating "the establishment of technical classes for the instruction of artisans "and others, not only in the technology, but also in the principles of "science in their application to the industry in which they are engaged, "and it is the aim and tendency of these examinations to develop more "and more in this direction, and to give an impulse to the establishment "in different parts of the kingdom of what may be properly called "technical schools, i.e. of schools providing a systematic and progressive "course of instruction adapted to various industrial occupations. The "interest awakened by the action of the City and Guilds of London in "promoting technical instruction is not confined to this country. Experts "have been sent over to England from various parts of the continent to "inquire into our scheme, and several accounts of the Institute's work have "appeared in foreign journals. Doctor Exner, the Director of the Techno- "logical Museum at Vienna, and member of the Austrian Parliament, read "a paper before the South Austrian Trade Society, dealing exhaustively "with our technological examinations, which, in a somewhat modified "form, he is not without hopes of being able to introduce into Austria. "Dr. Barkhausen, Professor of Mechanical Engineering at the Hanover "Polytechnic, has also written a series of articles in the 'Deutsche Bau- "zeitung' on the general work of the Institute. From America, from "Italy and Germany, and other parts of the continent, inquiries are "being continually received with respect to the progress of the Institute's "scheme; and it is generally anticipated by all those abroad who take "an interest in English education, and who know the resources which "the City and Guilds of London have at their command, that the

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"development of technical education, in their hands, will materially help "in maintaining the industrial success of this country."

That is what you wish to put before us?

That is what I desire to place before the Commission.

I suppose you have seen the evidence given by the other witnesses who came on behalf of the Institute?

I have.

Do you agree with the general purport of it?

I do.

Sir Sydney Waterlow: I think you are, as President of the Royal Society, an *ex-officio* member of the Guilds Technical Institute?

I am.

And have the right to be present at all meetings of committees, and of the Council having control of the Central Institution?

That is the case.

And I believe you have for a long time past attended very regularly the meetings?

I have attended most of the meetings.

I think you are a large employer of labour yourself?

I am.

And for many years have been in constant contact with skilled mechanics?

I have.

From your experience as an employer of labour, and from your knowledge of the wants and the aspirations of skilled mechanics, are you of opinion that the plan which the City of London and Guilds Technical Institute are endeavouring to carry out is one calculated to supply that want and to materially assist workmen to obtain better knowledge of all parts of the trades with which they are connected?

I am certainly of that opinion; the more I have seen of the work of the Institute, the more impressed I have been with the belief that it is well calculated for the purposes for which it is designed.

For many years you have been a liveryman of one of the City Companies, have you not?

Of the Stationers' Company.

You have a general idea, have you not, of the resources of the 12 large Companies and of many of the other principal Companies?

I have in a general way; but I am not specially informed of the details.

And are you of opinion that the appropriation of the money which they have devoted, and any larger funds which they might devote, to the development of technical education, not in London only, but in the provinces, through their central institution, is a wise and satisfactory appropriation of any funds they have to spare, or any increment they may hereafter have to spare?

I am quite of that opinion.

Do you think, having regard to the character of their charters and to the fact that almost all of them were founded for the purpose of assisting trade operations, and remembering the extent to which the members of the Companies are no longer members of the crafts to which their names are attached, that this method of supporting technical education is almost a *cy-près* appropriation of their funds?

It seems to me a perfectly legitimate appropriation of their funds, and well calculated to promote the success of the industries with which they are connected.

Are you aware that the annual contributions which the various Companies make are made during the pleasure of those Companies?

Yes, I am aware of that.

Do you think it would be desirable that in some way, with the consent of the Companies, the contributions to technical education should be rendered more permanent? Mr. Wm. Spottiswoode, President of the Royal Society.

As a member of the Institute I should be exceedingly glad to see that done.

And what would you say as a member of a Livery Company and as a liveryman?

My sympathies would be entirely in the same direction.

Mr. James: The only question I would venture to ask is whether you think that the general interests of science are most promoted by grants of money, either from the State or public bodies of this character, or by individual effort; in other words, do you think—speaking from your own experience—that scientific discovery or knowledge of these special technical subjects is most promoted by individuals relying upon their own exertions or by the expenditure of large sums of money?

That is a point on which a considerable difference of opinion exists. Nor, perhaps, can it be answered in the same way for all branches of scientific research; in my opinion some investigations may be safely left to individual effort; others, from their magnitude, or from the length of time during which the researches must be continued, require external support. But this is a question of science proper, and the remarks which I have just made have no necessary application to the case of the technical instruction here contemplated.

Mr. Alderman Cotton: Do you not think that technical education for the day is, in some measure, an experiment?

It is undoubtedly an experiment so far as this country is concerned. It was not until a few years ago that foreign competition showed us that our artisans were not the best in the world, and even then the idea of technical instruction as one means of remedy did not immediately present itself to the minds of employers or workmen. On comparing other countries with our own, we found that we differed from them in this element. The experiment then which we are trying is not whether technical instruction can be grafted on industrial life, for this has been tried, and successfully tried, elsewhere; but whether the same method which has succeeded elsewhere is applicable here.

Do you not think that sufficiently large sums of money have been put into it, it being an experiment, for the time being, until it has more thoroughly taken root?

I cannot say that I agree with that view, because the undertaking has already so far thriven that the Institute has found great difficulty in meeting the many demands (and in the opinion of the Council legitimate demands) made upon it, both in the metropolis and in other parts of the country. The experiment could hardly be said to have a fair trial if its operations were restricted to the present amount. The grants to the Institute are, as said before, still at the pleasure of the Companies.

Have not the means been very much crippled by the building of the museum or college at South Kensington; would there not have been ample means for trying all proper experiments if that building had not been commenced at South Kensington?

The Institute would certainly have had larger means at its disposal for other parts of its scheme if the Central College had not been begun; but in the opinion of those charged with the undertaking that college forms an integral and important element, and without it the scheme of instruction would have been very incomplete.

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But you do not consider the building at South Kensington to be adapted for the purpose, do you?

I quite hope to find that it will be so.

You cannot reasonably expect that that building at South Kensington, away from the homes of those for whom it is designed, will be of use to the artisan and labouring classes, can you?

I think it has been already explained that it was not expected that the artisans employed in the workshops would attend there. The Central Institution at South Kensington is intended for managers of works, engineers, industrial chemists, and others who have a desire for superior education and instruction in the branches of their industry; it is not contemplated that the same class of workmen who attend the Finsbury College and other like institutions would attend South Kensington Museum, and therefore the distance from the centres of industry is not expected prejudicially to affect the attendance of students at the Central Institution.

What you have just quoted is not from the original prospectus of South Kensington, but rather a revised or new idea as to the application of the college at South Kensington, is it not?

It states, as nearly as I remember, the present views of the Council on the subject; and I am not aware that it is in any way at variance with the original intention.

Do you not think that the present institutions now in existence, such as the South Kensington Museum (where all those things are taught which you are now going to teach at South Kensington) and the King's College, and similar institutions all round and about the metropolis, would have answered the purpose without your going to the extravagance of erecting (at a cost of, I think, some 80,000*l.* or 90,000*l.*) this building at South Kensington?

The purposes of the Normal School of Science at South Kensington is different from the purpose for which this Central Institution is intended, —one being for purely scientific education, while the other has a more direct bearing upon trades and the processes of manufacture.

But the processes of manufacture are promoted by these very schools; I suppose the analytical chemist will be really the most valuable student you will get, because his knowledge will improve the profits of the manufacture by new extracts, new colours, and new designs, will it not?

There is no doubt that an expert chemist will be very valuable in a large chemical factory; but, short of the scientific member of such a staff, there are overseers and foremen of different grades whose skill and intelligence would be greatly improved by such instruction as we hope to give at the Central Institution, and which would be different from that which they could obtain at the Normal School of Science at South Kensington.

If you had not commenced this building at South Kensington, would you do so now?

That is a question I cannot answer without more consideration; but I see no reason for thinking that we should not.

You would rather have the money in hand that the cost of that building will put you to, for useful purposes, than have it in a building and have to pay the enormous staff of professors and others that you will be obliged to have there, would you not?

I am not at all prepared to admit that.

You doubt its usefulness at South Kensington, do you not?

No, I do not at all.

What class of engineers do you think of educating there?

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We shall endeavour to adapt our courses, as far as possible, to the requirements of those who come; but, in general terms, we contemplate teaching the principles of applied mechanics, and the various branches of electric science which form a large portion of the industrial activity of the present time.

Do you contemplate having workshops at South Kensington?

Workshops for teaching the principles and mode of construction of things.

The same professors as are now at South Kensington would pass over to your college, would they not?

I do not see how this could be, as the whole time of the professors and teachers at the Central Institute would be occupied in the work of the Institute.

Would not many of the same staff do so?

I imagine that their time is already fully occupied where they are.

Professor Huxley, for instance, comes over to you, does he not, and he is very busy at South Kensington?

He is not in any way connected with the City and Guilds Institute.

Is he not to be one of your professors? I thought the gentlemen who were here last week mentioned his name in connection with it?

He is not.

How many students do you calculate you can accommodate at South Kensington?

The number was calculated when the plans were drawn, but I do not recollect it.

Of course the object of technical education is to teach what you would call the artisan or lower class in particular, is it not?

We propose to teach the artisan, who is engaged in the ordinary parts of manufacture at colleges, of which that at Finsbury is a type; and at South Kensington to educate the higher grades for overseers, &c., as well as for training teachers.

For the education of professors and teachers, and men of that stamp?

Not for teaching the technical subjects which we contemplate.

May I ask you what you mean by the word "technical"? I asked one of the gentlemen here the other day (it is very uncertain in its ramifications, I think). How would you yourself describe the word "technical"?

Definitions, unless very carefully considered, are always open to criticism; but I will try to illustrate my view of the question by an example. The student at the Normal School of Science has to learn the use of an instrument, and so much of its construction as will enable him to adjust it for his various experiments, and to know when it is in order or out of order. The artisan ought to be able to construct the instrument, to repair it if out of order, and to know when it is right. What we hope to add to the knowledge of the artisan is this: The ordinary artisan can construct the instrument from a given pattern, or from working drawings; but without these he can do little. Take the case of a man of science, who has an instrument adapted to electric currents of small strength or of low electro-motive force, and requires one for currents of great strength or of high electro-motive force, the ordinary workshop-instructed artisan is quite at a loss as to the proportions in which the instrument should be altered for the new circumstances. We hope to produce foremen and overseers with sufficient knowledge of the principles of science, as well as of construction, to enable them to form at least a fair estimate of the necessary differences in construction between the instruments to which they have been accustomed and new form required.

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Sir Sydney Waterlow: Will not the Central Institute bear the same relation to the technical schools in Finsbury and other places as a higher school does to an elementary school, and would not the system of technical education be incomplete if you had not the two grades of schools?

I am of that opinion.

The Drapers' Company did good service before the Commission in upsetting the Firth and Beale insinuations as to probability of the grants to the Technical Colleges being discontinued. Mr. Dalton's evidence was thorough, and to the point, and completed the denials of everything Firth and his associates had advanced detrimental to the Companies. The Drapers' Company are more than generous contributors, as they were among the very first promoters of the technical education movement. They gave 10,000*l.* towards the erection of the Technical College in Finsbury as early as 1877, in which year they voted 2000*l.* per annum to the Technical Institute, which grant has been since munificently increased to 4500*l.* per annum. The Companies' enemies, with the utter want of principle and truth marking their every act, aimed to make it appear that the support of the cause of technical education was a mere fleeting one, but Mr. Dalton met the gross fabrication by a very forcible and emphatic assurance that "the Drapers take great interest in the "matter, and no doubt if funds are wanting, we shall be ready at any "time with other Companies to come forward and supplement the funds." Mr. Firth knew well the noble-hearted Drapers are the last men to withdraw from any good work. Their whole history has been one of true fraternity and love of the cause of the poor through long drawn-out ages. Their charity expenditure is close upon 30,000*l.* per annum, and although their actual income for expressed charitable purposes is a vast one, yet it is insufficient to meet the desires of their big hearts, and they supplement it considerably from their corporate income.

The falsehoods as to enormous costs of the management of the various Companies' charities, promulgated so industriously by Firth and Beale, and persisted in, notwithstanding every positive denial and proof to the contrary, were well brought out by Mr. William Henry Dalton, who, with Mr. John Rogers Jennings and Mr. W. P. Sawyer, represented the Drapers' Company before the Commission. It was proved that five per cent. was the cost to the charities. Thus much for the daring falsehoods of the charities being eaten and drunk up by those whose duty it was to rightly administer them.

The Salters' Company made a strong muster before the Commission, its deputation consisting of Mr. Arthur Bowdler Hill, Mr. Frederick Le Gros Clark, F.R.S.; Mr. W. H. Eaton, M.P.; Mr. Alderman Fowler, M.P.; and Mr. Lionel Scott, the Company's clerk. Mr. Clark was the chief witness on the matters connected with the Irish Estates property of the Company, a subject he had well mastered. He showed the liberality of the Company in all its dealings with the people on the estates, and that their charities and donations have always been given entirely irrespective of religious creed. Indeed, this was clearly shown to be the case with each of the Companies holding Irish properties. Referring to Mr. Alderman Fowler's, M.P., presence before the Commission, it is right that mention should be made of the great services he has at all times rendered to the various Companies, and which are beyond estimate. As a loyal citizen and faithful ally he has ever been ready to stand up fearlessly for the rights of the brethren.

CHAPTER VI.

The old Guilds of London true examples of faithfulness—City Liveries' charitable gifts evidences of their observing the doctrine of charity universal—Their Charities administered at cost comparing favourably with any other statement as to hospitals and general charities of London—The clerks of the various City Companies deserving of honour for able discharge of duties—W. G. Prideaux and Wm. Beckwith Towso examples of the great labour falling on executive officers—The Fishmongers' donations over a period of ten years given as fair example of each of the various Companies proportionably with means—All the various Companies generous donors according to their means

The old Guilds of London true examples of faithfulness.

Queen Victoria's Royal Commission to look into her London Livery Companies and see whether they had been slandered or not, has done great good as placing these noble old institutions before the world's eye as the embodiment of faithfulness. If we had permission to demand from the Creator some power of merit which the world has not yet fully acquired or even measured, but of which the need is most pressing, it would be faithfulness. Is it not a virtue which our time greatly needs? Let us not dispute with St. Paul, when he says, "the greatest of all is charity," but let us confess that charity must indeed be a rare form of excellence if it can surpass the heart dreamed of by St. John as having been faithful unto death. St. John's statue of faithfulness is a noble one. It was a defect of Greek sculpture that its marbles stood chiefly for physical perfection, and not for the highest forms of mental finish. The Venus, the Apollo at least, were expected to recall all the physical loveliness of mankind. It is an excellence of modern art that it aims to picture ideal truths as well as ideal forms, and were it to carve or paint an image of Fidelity, and were it to do justice to the subject, we should see a work of amazing beauty. When we pause to pass before us the attractive qualities of image, we see a procession long and noble as some of those pictured upon old wall or frieze of Roman temple. Beauty, conversation, taste, music, festivity, worship, science, and poetry are in the great collection; but there is one form of human greatness that is not seen often enough in our groups of great ideals—that form is the being over which may be written the words, "Faithful unto Death."

The City Liveries' charitable gifts evidences of their observing the doctrine of charity universal.

The principle acted out by the old charities of the London Liveries, as evidenced from their wondrous list of charities extorted from them through this Commission, should be an antidote to the doctrine of modern annexors and spoliators who cry "Every man for himself." The Firth and Beale type might say: If there be only room for one in the life-boat, get in yourself! If there be a burden to bear, supervise other men while they shoulder it. You be the digit and other people the ciphers on the right-hand side, nothing in themselves, but augmenting you! The London Livery Charities seem to proclaim the opposite of that selfish theory, and to hug St. Paul's blessed words, "Bear ye one another's burdens, and so fulfil the law of Christ." No one escapes burdens; they come down on both shoulders, on the heart, and on the head. St. Paul proposed to

split them up into fragments. You take part of mine and I will take part of yours, and all of us part of each other's load. The temple of Baalbec had built into its wall three stones at a height of twenty feet, each of the stones weighing eleven hundred tons. The machinery by which that immense heft was lifted is among the lost arts. But there is a machinery which will yet lift a vaster and heavier tonnage of the world's burden off the great suffering heart of the race, and it is the spirit of helpfulness such as we see displayed in the sympathetic charities of London's ancient City Guilds.

The City Liveries' Charities administered at a cost comparing most favourably with any other.

Who can adequately estimate the good that the London City Liveries have wrought in the metropolis, by their examples of thrift and wise economy of management, uniformly exemplified through the many generations that have existed since the days of their earliest incipiency. It is a part of the scheme of the Companies' enemies to pretend that the cost of management is excessive, albeit though when making this assertion the fabricators know that it, in common with their other charges, is the reverse of truth. Without fear of contradiction, it can be asserted they stand alone and unexampled in economic management, judging on the true basis of net amount actually distributed out of a given gross income. The cost of administration of other charities is in many instances excessive, and generally largely in favour of those controlled by the Livery Companies. Indeed, without more security than the public now has for the possession by the crowd of London charities of any just title to exist, the stream of pecuniary benevolence towards deserving objects may not unlikely gradually cease to flow. Already through this cause, in a large degree, various institutions, of whose charitable solvency there can be no question, have begun to find the current run slower. Several of the great hospitals so indispensable to humanity that if voluntary funds were permanently withheld public funds would have to be supplied, have had to curtail their usefulness consequent on diminution of their incomes. Statement as to Hospitals and General Charities of London. According to an admirably classified statement of the Metropolitan Charities, compiled by Mr. W. F. Howe, the approximate income of the Metropolitan Charitable Institutions for 1883-4 are arrived at. It appears that a total of 1013 charitable institutions in London enjoy an income of 4,447,436*l.* There are four Bible and 14 book and tract societies, which possess between them an income of 288,981*l.*, while 92 home and foreign missions have a revenue of 1,572,599*l.* Six church and chapel building funds have an income of 31,483*l.*, while 46 charities for the blind, deaf and dumb, incurables, and idiots enjoy between them 160,451*l.* a year. The 17 general hospitals in London have an income of 341,896*l.*, and the 73 special hospitals make up, with the former, a revenue for the London hospitals of 601,433*l.* Dispensaries and convalescent institutions are credited with an income of 95,236*l.* Coming to pensions and institutions for the aged, there are 158 of these charities, with a revenue of 435,710*l.* Other institutions for general relief, loans, &c., possess 323,021*l.* per annum. The remaining charitable institutions, consisting of homes, orphanages, and reformatory and educational societies, contribute to swell the total of nearly four millions and a half annually spent on charity in the metropolis. These astounding figures should be pondered on by all who desire interest in the cause of the alleviation of human suffering. The good deeds of the charitable men who, in the days when the population of London was not one-twentieth what it now is, founded our noble City Companies, have proved a good example. Probably no such action in modern or other times ever germinated into such quick and widespread production. It has been well said that the amount of good done, and of real suffering and undeserved want relieved by these

charities is very great; and as a proof that they are administered with care and discrimination, and so as not to weaken the spirit of self-dependence, it is understood that the number of members of some of the Companies of this class who apply for assistance has been for some time gradually diminishing. It can advisedly be declared that it would have been well for the metropolitan charities generally if the marvellous exhibit of the detailed distribution of the Livery Companies' benefactions had been earlier made public. Great good cannot fail to result from the divulgence, through the Royal Commission, of the extraordinary care and more than discretion used by the various Liveries in their application of the funds at their disposal. It must have sorely taxed the executive officers of the various Companies to prepare and lay before their respective courts such lists of marvellously well-selected objects as the veterans W. G. Prideaux of the Goldsmiths', and William Beckwith Towse of the Fishmongers' sent forth, year after year, through a long vista of periods, as the adoption of their Companies.

W.G.Prideaux of Goldsmiths' and W. Beckwith Towse of Fishmongers' Companies, examples of the great labour falling on executive officers of the various Companies.

All honour to the gentlemen officiating as Clerks to the various City Companies, and who, in compiling the complex and complete returns rendered to the Commission, show how faithfully and zealously they perform their duties. The salaries of these able officers are shown to be in every instance most moderate, and in many cases much below their deserving, and certainly far less than is paid to the executive officers of Railways, Banks and Insurance Companies to gentlemen of their ability and standing.

Extremely moderate salaries paid such officers.

The second secret and confidential circular issued with intent to damage the Companies refers to them as jealous of each other. No such unworthy feeling on the part of the wealthier, or even the poorest and humblest of the whole hundred of the fraternities, will be felt in the selection of the Fishmongers' list for publicity in this volume. It is made in their one and all same good cause, as exemplifying the fairest and truest illustration of the acts of each and every one of the Companies that can in justice to all be laid before the world. Proportionately with their incomes, it can be declared that each, from the richest to the poorest, has exercised the same wise selections of channels for flow of their bounties, and therefore, according to degree, each has done its share of good.

Vast and inconceivable as are the needs for charitable purposes in our modern Babel, yet there is cause of great thankfulness for the response, yielded as it is relatively by only a few of those who are blessed in the will to contribute. Recent times have pressed heavily on the contributors to benevolent purposes, and economy in subscriptions is as easy as dispensing with men-servants or the "putting down" horses and carriages. But, while the charitable funds of London have not lately increased, or, at all events, have not multiplied after their usual rate, they remain happily at a point which shows that no resistance damps the good cause, and that by one device or another they can be made to force an entrance into all but the stoniest hearts.

The writer of this Vindication of the good old Liveries begs to reiterate that he does not recognize the term "Minor Companies." He regards the poorest as of equal importance with the richest in this struggle with the enemy. The one in the possession of "greater goods" realizes, he trusts and believes, the larger responsibility and duty attaching to these God's gifts. The enemy's tares seek to create jealousies, but the honourable, right-minded Liveryman will acknowledge that in selecting the Fishmongers' lists of public donations over a period of ten years the writer has been animated by none other than laudable desire to place same before the world as a fair and just illustration of that blessed spirit of charity universal which he believes to rule and govern the hearts of all.

The writer's devotion to the cause of so-called "Minor Companies."

FISHMONGERS' DONATIONS IN ENGLAND.

In 1870.

			£	s.	d.
Jan.	14	Association for the Welfare of the Blind, 210, Oxford Street	10	10	0
		Royal Alfred Merchant Seamen's Institution, Erith	52	10	0
		Saint Luke's Schools (Whitfield) Tabernacle	26	5	0
		British Home for Incurables, Clapham Rise	105	0	0
Feb.	10	John Rhys (Exhibitioner)	21	0	0
		King Edward's Ragged Schools and Refuge for Girls, Spital-fields	21	0	0
		Deptford Soup Kitchen	30	0	0
Mar.	11	Asylum for Idiots, Earlswood	105	0	0
		East London Mission and Relief Society, Adelphi	52	10	0
		Parochial Mission Women's Society, Cockspur Street	52	10	0
April	8	Finsbury Dispensary	21	0	0
		School for Sailors' Children, Whitechapel	21	0	0
		Sufferers by loss of the *Alexandra* lugger on Goodwin Sands	30	0	0
		Saint Anne's Schools, Wandsworth	26	5	0
		London Hospital	210	0	0
May	6	Workmen's Trains Metropolitan Association	21	0	0
June	10	London Fever Hospital, Liverpool Road	105	0	0
		All Saints' Church, Walworth	50	0	0
		Sailors' Homes in the United Kingdom and Colonies	52	10	0
July	16	Saint Mary's, Whitechapel, Ragged School	20	0	0
		British Asylum for Deaf and Dumb, Clapton	25	0	0
		Saint Michael's Ragged Schools, Laut Street, Borough	21	0	0
Aug.	2	Royal Naval School, New Cross	52	10	0
„	24	Frederick Mace (Doggett's Wager accident)	1	1	0
Sept.	29	National Society for Aid to the Sick and Wounded by the War between France and Germany	210	0	0
„	30	Little Boys' Home, Farningham	52	10	0
		Sufferers by the fire at Constantinople	52	10	0
		Bishop of Rochester's fund for erecting churches, &c., &c., in districts of Barking, Woolwich, and Greenwich	105	0	0
Oct.	13	*Captain* Relief Fund, for the relief of widows, &c., of those drowned on board H.M.S. *Captain* off Cape Finisterre	105	0	0
„	20	Distressed peasantry of France through the war	210	0	0
Nov.	11	Deaf and Dumb Association, 309, Regent Street	21	0	0
		Saint John's Schools, Walworth (Rev. G. T. Cotham)	50	0	0
Dec.	8	Refugees' Benevolent Fund, 30, King Street, Cheapside	105	0	0
		National Industrial Home for Crippled Boys, Kensington	100	0	0
		Royal Hospital for Diseases of the Chest, City Road	21	0	0
		Rev. J. E. Austen Leigh, towards expenses incurred by him on cottage allotments on Company's land opposite Jesus Hospital, Bray	20	0	0
		To the poor's boxes at the Mansion House and Guildhall, 25*l.* each	50	0	0
		To the poor's boxes at the Bow Street, Clerkenwell, Greenwich and Woolwich, Lambeth, Marlborough Street, Marylebone, Southwark, Thames, Westminster, Worship Street, and Wandsworth and Hammersmith Police Courts, 20*l.* each	220	0	0
			2,454	11	0
		Annual subscriptions	169	12	0
			£2,624	3	0

In 1871.

Jan.	13	Great Northern Hospital, Caledonian Road	100	0	0
		Walworth Road Schools in Vowler Street	25	0	0

[*Fishmongers' Donations.*]

		£	s.	d.
Jan. 13	North London or University College Hospital, for the use of patients suffering from Skin Diseases	105	0	0
	Industrial Home for Crippled Boys at Kensington (in addition to 100*l.* in 1870)	110	0	0
Feb. 10	Mansion House French Relief Fund	315	0	0
	Discharged Prisoners' Aid Society, 39, Charing Cross	105	0	0
	Westminster Memorial Refuge for Female Convicts, in connection with the Discharged Prisoners' Aid Society	105	0	0
	Cripples' Home and Female Refuge, Northumberland House, Marylebone Road	210	0	0
	City of London Volunteer Fund	100	0	0
	City Orthopædic Hospital, Hatton Garden	21	0	0
Mar. 10	Royal Infirmary for Children and Women, 51, Waterloo Road	25	0	0
	Hospital for Sick Children, 49, Great Ormond Street, Queen's Square	52	10	0
	Post Office Orphan Home Institution	21	0	0
	Wandsworth Benevolent Society	10	0	0
	British Lying-in Hospital, Endell Street, Saint Giles'	21	0	0
April 14	Mariners' Friend Society, 172, High Street, Wapping	21	0	0
	Royal Asylum of Saint Anne's Society School, Streatham	52	10	0
	National Schools of Saint Michael's Mission, Woolwich	52	10	0
	School of Discipline, Queen's Road West Chelsea	25	0	0
	Artists' General Benevolent Institution for the Education of the Orphan Children of Artists	25	0	0
May 12	British and Foreign Sailors' Society, Mercers Street, Shadwell	52	10	0
	Lock Hospital and Asylum, Westbourne Green	52	10	0
	Railway Benevolent Institution for the Relief of Railway Officers and Servants, 123, Seymour Street	25	0	0
	Provident Clerks' Benevolent Fund, 15, Moorgate Street	50	0	0
	Society for the Relief of Distressed Widows applying within One Month of their Widowhood, 32, Sackville Street	21	0	0
	Working Men's Club and Institute Union, 150, Strand	52	10	0
June 9	Royal Maternity Charity, 31, Finsbury Square	52	10	0
	National Hospital for Consumption, Ventnor, Isle of Wight	84	0	0
July 14	New schools in connection with the Wesleyan Chapel at Barking	26	5	0
	Church Schoolmasters' and Mistresses' Benevolent Institution	10	0	0
	St. Michael's Free Mission and Schools, church and district, Lant Street, Southwark	25	0	0
	National Sanatorium for Consumption and Diseases of the Chest at Bournemouth	50	0	0
Sept. 29	City of London Ragged Schools	26	5	0
	Infirmary for Epilepsy and Paralysis, Charles Street, Portman Square	26	5	0
Oct. 13	Sufferers by the extensive fire at Chicago	262	10	0
	Charing Cross Hospital	105	0	0
,, 16	Camden Town School for Girls	105	0	0
Nov. 10	West India hurricane	52	10	0
Dec. 15	Ragged and Industrial Schools, Maida Hill	10	10	0
	Refuges for Homeless and Destitute Children, Queen Street, Holborn	52	10	0
	Saint Stephen's, Walworth, for a parsonage house	21	0	0
	Walworth Road Chapel—repairs	50	0	0
	Friendly Female Society	52	10	0
	Saint Andrew's Waterside Mission Church at Gravesend	100	0	0
	Saint Michael, Nunhead, towards infant school	10	10	0
	Ragged Schools, Wilkes Street, Spitalfields	10	10	0
,, 21	Waiters employed in the City	5	5	0
	Persian Famine Relief Fund	105	0	0
	To the poor's boxes at the Mansion House and Guildhall, 25*l.* each	50	0	0
	To the poor's boxes at the Bow Street, Clerkenwell, Greenwich, Woolwich, Lambeth, Marlborough Street, Marylebone, Southwark, Thames, Westminster, Worship Street, and Wandsworth and Hammersmith Police Courts, 20*l.* each	220	0	0
		3,268	0	0
	Annual subscriptions	211	2	0
		£3,479	2	0

FISHMONGERS' DONATIONS IN 1872.

		£	s.	d.
Jan. 11	Home for Consumptive Females, 50, Gloucester Place, Portman Square	25	0	0
	London Female Preventive and Reformatory Institution, 200, Euston Road	21	0	0
	Saint Mary's Hospital, Paddington	100	0	0
	Female Missions to the Fallen, &c., 24, New Street, Spring Gardens	52	10	0
Feb. 8	Discharged Female Prisoners' Aid Society, Wandsworth Road, Vauxhall	52	10	0
	North Eastern Hospital for Children, Hackney Road	52	10	0
	Saint Mark's Hospital for Fistula, &c., City Road	52	10	0
Mar. 21	Society for Supplying Home Teachers and Books to enable the Blind to Read the Scriptures, Fleet Street, E.C.	25	0	0
	Saint Paul's Cathedral, towards Completion Fund	1,000	0	0
April 11	Wesleyan Chapel, near Southend, towards building	50	0	0
	City of London Hospital for Diseases of the Chest, Victoria Park	105	0	0
	Loss of a fishing boat, near Penzance, towards making good the same	10	10	0
	Royal Alfred Aged Merchant Seamen's Institution, Belvidere	105	0	0
May 9	Saint Mark's, Walworth, towards building a church	52	10	0
	British Medical Benevolent Fund, Upper Berkeley Street	26	5	0
	Sailors' Orphan Girls' School and Home, Hampstead	52	10	0
	Royal Free Hospital, Gray's Inn Road	105	0	0
	St. Peter's Orphan Home, Isle of Thanet	200	0	0
June 13	London General Porters' Benevolent Fund	52	10	0
	Mayo Memorial Fund	50	0	0
	Planting and improvement of Wandsworth Common	10	10	0
	Marine Society, Bishopsgate Street	105	0	0
„ 27	Harriet Ann Wilson	20	0	0
July 11	City of London Industrial School, Bisley, Surrey	105	0	0
	Thames Church Mission	25	0	0
	Home for Confirmed Invalids, South House, Highbury Park South	21	0	0
	Saint Michael's Free Mission Churches and Schools, Lant Street, Borough	21	0	0
	London Hospital, Whitechapel, first instalment of 500*l.*	100	0	0
Aug. 8	Metropolitan Dispensary, 9, Fore Street	52	10	0
Oct. 10	Evelina Hospital for Sick Children, Southwark Bridge Road	52	10	0
	Sarah Rose Spencer, grant to enable her to take up her freedom	2	0	0
Nov. 14	Gentlewomen's Self-help Institute, Baker Street, Portman Square	25	0	0
	Harleian Society, Clifton, Brighouse	5	5	0
Dec. 11	City Orthopædic Hospital, Hatton Garden	21	0	0
	British Nursing and Training School, Cambridge Place, Paddington	50	0	0
	Italian Inundation Relief Fund (Mansion House)	105	0	0
	To the poor's boxes at the Mansion House and Guildhall, 25*l.* each	50	0	0
	To the poor's boxes at the Bow Street, Clerkenwell, Greenwich and Woolwich, Lambeth, Marlborough Street, Marylebone, Southwark, Thames, Westminster, Worship Street, and Wandsworth and Hammersmith Police Courts, 20*l.* each	220	0	0
„ 19	British and Foreign School Society, Borough Road	105	0	0
	Family of the late Mr. Thomas Young, professional singer	5	0	0
		3,291	0	0
	Annual subscriptions	201	2	0
		£3,492	2	0

IN 1873.

Jan. 16	National Orphan Home, Ham Common	105	0	0
	Alexandra Orphanage for Infants	105	0	0
	Orphan Working School, Haverstock Hill	105	0	0
	Royal National Lifeboat Institution	105	0	0

[*Fishmongers' Donations.*]

			£	s.	d.
Jan	17	National Training School for Music	50	0	0
Feb.	13	Infant Nursery, St. John's, Walworth	21	0	0
		City Dispensary, 46, Watling Street	26	5	0
		University College Hospital	105	0	0
		Stepney Parish Church, Restoration Fund	26	5	0
		National Institution and Home for Ladies, Notting Hill Square	25	0	0
„	20	London Homœopathic Hospital, Great Ormond Street	52	10	0
Mar.	13	Shipwrecked Mariners' Society, Hibernia Chambers, London Bridge	50	0	0
		Royal Medical Benevolent College, Soho Square, towards establishing four free medical scholarships	52	10	0
		Saint George's Hospital, Hyde Park Corner	105	0	0
		Proposed Soldiers' Home and Mission Hall Woolwich Garrison	100	0	0
		Society for Encouragement of Arts, &c., John Street, Adelphi, towards their technological examinations	52	10	0
		Harrietsham School, house repairs	10	10	0
		Billingsgate and Thames Street Mission	10	10	0
April	10	Chapel Building Fund of the Royal National Hospital for Consumption, Ventnor	52	10	0
		All Saints' National Schools, Walworth	100	0	0
		Pure Literature Society for Working Men's Libraries, 11, Buckingham Street, W.C.	52	10	0
„	17	London Hospital, Whitechapel, Building Fund	500	0	0
		Society for the Protection of Women and Children, 99, Strand	25	0	0
May	8	North London Consumption Hospital, Hampstead, &c.	52	10	0
		Mr. Parker, to further his pursuits in the anatomy of fishes Also 20*l.* per annum for three years.	50	0	0
June	12	Metropolitan and City Police Orphanage	105	0	0
		Hucking Schools, near Hollingbourne, Kent	52	10	0
		Poplar Hospital for Accidents, East India Road	52	10	0
		East London Hospital for Children and Dispensary for Women, Ratcliffe Cross	105	0	0
		Hospital for Hip Diseases in Childhood, 18, Queen Square	52	10	0
		Relief of sufferers by fishing calamities on coast of Galway	20	0	0
		Mrs. Gladstone's Convalescent Home, Woodford	100	0	0
„	25	London Hospital, second annual instalment on account of grant of 500*l.*	100	0	0
July	10	Saint Mary's Church, Newington, towards the rebuilding	52	10	0
		For providing larger boats, &c., for fishermen of the Islands of Boffin, &c.	50	0	0
		College of Saint Columba, Rathfarnham, Dublin	105	0	0
		Saint Michael's Free Mission Churches and Schools, Borough, S.E.	25	0	0
		Sea-side Convalescent Hospital, Seaford	52	10	0
Aug.	1	King's College Hospital	105	0	0
		London Diocesan Penitentiary, Highgate	105	0	0
		Lord Lawrence, for expenses of lectures to be given on technical subjects to the boys of various schools in London	10	10	0
		London Philanthropic Society	5	5	0
Oct.	9	Saint James' Church, Kennington Park Road	52	10	0
Dec.	11	Steam Lifeship Fund, 21, Ashley Place, Victoria Street	52	10	0
		London Cabmen's Mission, 43, Marchmont Street	52	10	0
		Towards a boat slip at Shank Island and a pier at Boffin Island, Galway, Ireland	25	0	0
		City kitchen (extra)	5	5	0
		To the poor's boxes at the Mansion House and Guildhall, 25*l.* each	50	0	0
		To the poor's boxes at the Bow Street, Clerkenwell, Greenwich and Woolwich, Lambeth, Marlborough Street, Marylebone, Southwark, Thames, Westminster, Worship Street, and Wandsworth and Hammersmith Police Courts, 20*l.* each	220	0	0
			3,495	10	0
		Annual subscriptions	263	12	0
			£3,759	2	0

	Fishmongers' Donations in 1874.	£	s.	d.
Jan. 15	Trewint Industrial Home, Mare Street, Hackney, E.	26	5	0
	St. Saviour's Church for Deaf and Dumb, Oxford Street, W.	25	0	0
	Royal Seamen's and Marines' Orphan Schools and Female Orphan Home, Portsmouth, Building Fund	100	0	0
	Infant Nursery in connection with St. John's National Schools, Walworth	21	0	0
	Baths and washhouses for East London	100	0	0
	Benjamin Dobell—late a tenant	5	0	0
Feb. 12	York Street Chapel, Walworth, Renovation Fund	100	0	0
	Royal Norman College and Academy for Music for the Blind, Upper Norwood	105	0	0
	Royal Architectural Museum, Tufton Street, S.W.	52	10	0
	Finsbury Dispensary	26	5	0
„ 19	Bengal Famine Relief Fund	200	0	0
Mar. 13	London Cabmen's Benevolent Association, King's Cross Circus	52	10	0
	Ragged School Shoe-black Society (Central)	52	10	0
April 9	Home for Little Boys, 78, Cheapside, and Farningham, formerly at Tottenham	52	10	0
	Miss Rye's Emigration Home, Peckham	52	10	0
	Royal Naval School, New Cross	52	10	0
	Royal Humane Society, Trafalgar Square	105	0	0
	Royal British Female Orphan Asylum for the Female Orphans of Sailors, Soldiers, Marines, and others connected with Her Majesty's Service, Devonport	50	0	0
	Benevolent Society of Blues	26	5	0
„ 16	Thames Inundation Relief Fund	26	5	0
May 14	Borough Jewish Schools, Heygate Street (towards enlarging same)	50	0	0
	Royal National Hospital for Consumption and Diseases of the Chest, Ventnor	105	0	0
	Tenby Quay Mission (Fishermen's reading-room)	21	0	0
„ 22	Newnham College (late Merton College), for the Higher Education of Women	105	0	0
	Girton College, Cambridge, for the Higher Education of Women	100	0	0
	Widows and orphans of the Grimsby Deep Sea Fishermen, who were lost on the Dogger Bank on the 8th of March, 1874	26	5	0
	Owen Jones' Memorial Fund	21	0	0
June 11	Soldiers' Daughters' Home, Hampstead	52	10	0
	National Training School of Cookery	25	0	0
	With a prize of 5*l.* for the best suggestions for cooking fish, &c.			
	St. Mark's Church, Victoria Docks, towards building new church and school	52	10	0
	Friendly Female Society	26	5	0
	Surgical Aid Society	26	5	0
„ 17	Dr. William Kitchen Parker, F.R.S., annual grant of 20*l.* for three years, to enable him to continue his researches in the anatomy of fishes	20	0	0
„ 24	London Hospital, third annual instalment on account of grant of 500*l.*	100	0	0
„ 25	Woolwich Watermen's Sailing Barge Match	1	1	0
	Dr. Sedgwick Saunders' Testimonial Fund	5	5	0
July 9	Home for Confirmed Invalids, Highbury, N.	21	0	0
	Royal Orthopædic Institution, Oxford Street	50	0	0
	Saint Michael's Free Mission Churches and Schools, &c., Lant Street, Borough	31	10	0
	Widow and family of the late Mr. Brooks, foreman of works during rebuilding of warehouse at Old Swan Wharf	10	0	0
Aug. 4	Rev. William Frederick Witts, towards erecting a new school at North Woolwich	25	0	0
	Metropolitan Drinking Fountain and Cattle Trough Association	25	0	0
	Metropolitan Convalescent Institution	26	5	0
	Lock Hospital	52	10	0
	British Hospital for Diseases of the Skin, Great Marlborough Street	21	0	0

		[*Fishmongers' Donations.*]	£	*s.*	*d.*
Aug.	4	Fishmongers' and Poulterers' Institution, Wood Green	52	10	0
		Mr. Brady, on behalf of twelve orphans and three widows, whose husbands were drowned off Arran Islands	10	0	0
Sept.	24	Provident Surgical Appliance Society, 37, Great Ormond Street	5	5	0
		Working Men's Club and Institute Union, 150, Strand, W.C.	25	0	0
Nov.	12	St. Peter's Orphan Home, Isle of Thanet, towards the liquidation of the debt on the building	100	0	0
		Saint Mary's Church, Nowington, Surroy, towards rebuilding	52	10	0
		Teddington Cottage Hospital	26	5	0
		Whitechapel Church Robuilding Fund	100	0	0
		Regent's Park Explosion Fund	52	10	0
Dec.	10	Towards building a New Hawkstone Hall in Westminster Bridge Road, for the benefit of the working classes	105	0	0
		Royal Naval Benevolent Society, 18, Adam Street, Adelphi, W.C.	105	0	0
		Servants' Training Institution, 63, High Street, Clapham	25	0	0
		Billingsgate and Thames Street Mission (per Miss Hardcastle)	10	10	0
		To the poor's boxes at the Mansion House and Guildhall, 25*l.* each	50	0	0
		To the poor's boxes at the Bow Street, Clerkenwell, Greenwich and Woolwich, Lambeth, Marlborough Street, Marylebone, Southwark, Thames, Westminster, Worship Street and Wandsworth and Hammersmith Police Courts, 20*l.* each	220	0	0
„	17	Wandsworth Benevolent Fund	10	0	0
			3,179	16	0
		Annual subscriptions	191	2	0
			£3,370	18	0

In 1875.

Jan.	14	Chelsea Hospital for Women, 178, Kings' Road, Chelsea	25	0	0
		Training ships, *Chichester* and *Arethusa* for Destitute Boys	105	0	0
Feb.	18	Merchant Seamen's Orphan Asylum	105	0	0
		Patriarch of Antioch, towards expenses of visit	21	0	0
		Asylum for Fatherless Children, Reedham, near Croydon	105	0	0
		Home for Crippled Boys, towards building new wing	100	0	0
		Congregational Church, Wandsworth	52	10	0
		Annuitants' Home for Gentlewomen, Wandsworth	25	0	0
		Royal South London Ophthalmic Hospital, St. George's Circus, S.E.	52	10	0
Mar.	11	Dr Wm. Kitchen Parker, F.R.S., second annual payment	20	0	0
April	15	Home for Female Orphans, Grove Road, St. John's Wood	52	10	0
		Bedford College, York Road, Portman Square, late Bedford Square	105	0	0
		Royal Normal College and Academy of Music for the Blind	105	0	0
		St. Peter's Orphan Home, Isle of Thanet, towards building infirmary	50	0	0
		North London Hospital for Consumption and Diseases of the Chest, Tottenham Court Road and Hampstead	52	10	0
		Railway Guards' Universal Friendly Society, &c., in Birkbeck Institution, Chancery Lane	10	10	0
		Ann Hopwood, grant as late laundress	10	10	0
June	17	Harrietsham School premises, towards enlarging same	25	0	0
		Working Men's College, 45, Great Ormond Street	52	10	0
		Royal Cambridge Asylum for Soldiers' Widows, 40, Charing Cross	52	10	0
		Invalid Asylum for Respectable Females, Stoke Newington	25	0	0
		National Benevolent Institution, 65, Southampton Row	52	10	0
		Church of England Scripture Readers' Association, 56, Haymarket	31	10	0
		Royal Hospital for Diseases of the Chest, City Road	105	0	0

[*Fishmongers' Donations.*]

			£	s.	d.
June	17	Association for the Oral Instruction of the Deaf and Dumb, 12, Fitzroy Square	52	10	0
		Saint Michael's Free Mission Churches and Schools, Lant Street, Borough	30	0	0
		Royal Female Philanthropic Society, Great Church Lane, Hammersmith	105	0	0
		Gardeners' Royal Benevolent Institution	10	10	0
,,	25	London Hospital, fourth annual instalment on account of grant of 500*l.*	100	0	0
July	8	In aid of the sufferers by the late floods in France	105	0	0
Aug.	12	City of London Hospital for Consumption and Diseases of the Chest, Victoria Park	105	0	0
		Royal School for Daughters of Officers of the Army, 22, Cockspur Street	52	10	0
		Towards the Relief of the Distressed in Iceland	25	0	0
		City of London Volunteer Rifle Rangers' Fund, per Captain Grey	21	0	0
,,	18	Rev. H. J. Carver, grant to enable him to take his M.A. degree, he being formerly a Holt scholar	20	0	0
Oct.	21	City Orthopædic Hospital, Hatton Garden	21	0	0
Dec.	16	Finsbury Dispensary, Brewer Street, Clerkenwell	25	0	0
		Provident Clerks' Benevolent Fund, 15, Moorgate Street	105	0	0
		Working Men's Club and Institute Union, 150, Strand, W.C.	25	0	0
		Hampstead Female Reformatory	50	0	0
		Artisans' Benevolent Fund for the Technical Classes, 4, Trafalgar Square	26	5	0
		Great Northern Hospital, King's Cross	52	10	0
		Coburg Homes for Orphans and Destitute Girls, Elsham Road, Kensington	25	0	0
		Missionary Fund for the town of Barking	21	0	0
		Royal Association in Aid of the Deaf and Dumb, 272, Oxford Street	52	10	0
		Surgical Aid Society	21	0	0
		London and Dover Female Convalescent Home, Dover, Mrs. Marsham	26	5	0
		Association for Promoting the Welfare of the Blind, 211, Oxford Street	26	5	0
		Hospital for Diseases of the Throat, Golden Square	26	5	0
		To the poor's boxes at the Mansion House and Guildhall, 25*l.* each	50	0	0
		To the poor's boxes at the Bow Street, Clerkenwell, Greenwich and Woolwich, Lambeth, Marlborough Street, Marylebone, Southwark, Thames, Westminster, and Worship Street, 20*l.* each	200	0	0
			2,720	10	0
		Annual subscriptions	223	3	0
			£2,943	13	0

In 1876.

Jan.	13	Marine Society's ship *Warspite* burnt	50	0	0
Feb.	17	Home and Colonial School Society	52	10	0
		St. Mary's Hospital, Paddington	105	0	0
		Trewint Industrial Home, Mare Street, Hackney	21	0	0
		National Hospital for Diseases of the Heart and Paralysis	25	0	0
		Gentlewomen's Establishment, Harley Street	52	10	0
		St. Joseph's Home, Bournemouth (Miss Zuluata)	52	10	0
		St. Paul's Cathedral, Bell No. 9, bearing name and arms of Company	210	0	0
		Towards the support of a City Missionary for Billingsgate	50	0	0
		British Home for Incurables, Clapham Rise	100	0	0
		St. Alban's Abbey Restoration Fund, 210*l.* (in four annual payments of 52*l.* 10*s.* each)	52	10	0
Mar.	9	London Hospital, Queen's fund for new wing	210	0	0
„	25	Dr. William Kitchen Parker, F.R.S., third and last annual grant	20	0	0

[*Fishmongers' Donations.*]

		£	s.	d.
April 20	Benevolent Friends' Society	31	10	0
	Ramsgate Sailors' Home and Mission Church	52	10	0
	Lambeth School of Art	25	0	0
	Commercial Travellers' School, Pinner	105	0	0
	St. John's Church, Walworth, for a second curate	21	0	0
	Earlswood Asylum for Idiots	105	0	0
	British and Foreign School Society	105	0	0
	London Aged Christian Society	26	5	0
June 15	City of London Truss Society	52	10	0
	Sheriff's Fund Society to aid discharged prisoners	10	10	0
	St. Michael's Mission Churches and Schools, Lant Street, Borough	31	10	0
	Towards building a Day and Sunday School at Barking	50	0	0
	Princess Mary's Village Homes at Addlestone	31	10	0
	King's College Hospital	52	10	0
„ 22	Society for Organizing Charitable Relief and Repressing Mendicity	52	10	0
	British Medical Benevolent Society	52	10	0
	Cornwall Reformatory Ship	105	0	0
„ 24	London Hospital, fifth annual instalment on account of grant of 500*l.*	100	0	0
Aug. 1	Westminster Training School and Home for Nurses	105	0	0
„ 10	Wandsworth Presbyterian Chapel	52	10	0
	British and Foreign Sailors' Society, Shadwell	52	10	0
	Metropolitan Drinking Fountain and Cattle Trough Association	25	0	0
	Gentlewomen's Self-help Institute, Harley Street	25	0	0
Oct. 19	Dr. W. Moon, of Brighton, to aid him in circulating embossed books in various languages among the blind	100	0	0
	Seamen's Hospital, Greenwich (late *Dreadnought*)	52	10	0
	Thames International Regatta	10	10	0
Dec. 21	Book Society, Paternoster Row	26	5	0
	Workmen's Institute and Hall for the Poor at the East End, in St. Mark's, Bow	25	0	0
	Refuge for Deserted Mothers and their Infants, 35, Great Coram Street	26	5	0
	The Destitute Children's Dinner Society	21	0	0
	Professorship of History in the University of Cambridge, endowment of, in memory of the late Bishop Thirlwall	52	10	0
	Girton College, Cambridge, Building Fund	105	0	0
	National Institute and Home for Ladies, Notting Hill Square	25	0	0
	London Female Penitentiary	52	10	0
	City Volunteer Rifle Rangers' Fund	10	10	0
	To the poor's boxes at the Mansion House and Guildhall, 25*l.* each	50	0	0
	To the poor's boxes at Bow Street, Clerkenwell, Greenwich and Woolwich, Lambeth, Marlborough Street, Marylebone, Southwark, Thames, Westminster, and Worship Street, 20*l.* each	200	0	0
„ 22	Henry Torrens Kenny, late scholar of Holt School, for the purchase of books, he having been elected to a Sizarship of St. John's College, Cambridge	10	0	0
		3,037	15	0
	Annual Subscriptions	202	3	0
		£3,239	18	0

In 1877.

Jan. 3	Martha Sarah Jackson, grant as a late tenant at Holt	5	0	0
Feb. 22	"George Moore" Memorial Fund, for establishing scholarships for boys in elementary schools	52	10	0
	Walworth Road Infant Schools	26	5	0
	Fishmongers' and Poulterers' Institution	52	10	0
	(Being amount granted June 15th, 1876, to the fish salesmen, Billingsgate, towards the expenses of memorializing the Board of Trade in respect of the new byelaws, which was not required by them.			

[*Fishmongers' Donations.*]

		£	s.	d.
Feb. 22	Shipwrights' Company, for prizes at their exhibition of ships' models, fishing smacks, tugs, and barges	52	10	0
	Reformatory and Refuge Union, 435, West Strand, W.C.	52	10	0
	To the fund for the relief of the sufferers by the recent loss of fishing boats off Glengad Head, Londonderry	20	0	0
	St. Mark's, Walworth, Mission Hall and Schoolroom	52	10	0
„ 26	Surrey County Gaol, second payment of annual gift	2	1	10
Mar. 9	Relief of the widows and children of fishermen lost in the gale on the east coast, 30th January last	105	0	0
„ 15	Metropolitan Free Hospital, Bishopsgate (Building Fund)	250	0	0
April 26	Provident Surgical Appliance Society	26	5	0
	Shipwrecked Fishermen and Mariners' Royal Benevolent Society, Hibernia Chambers, London Bridge	52	10	0
	Royal General Dispensary, Bartholomew Close	21	0	0
	Saint Bartholomew's Hospital (Samaritan Fund)	52	10	0
	Royal Orthopædic Hospital	26	0	0
	Little Boys' Home, Farningham	105	0	0
	Artisans' Institute, Castle Street, St. Martin's	26	5	0
	Artisans' Institute, Castle Street, St. Martin's (special classes)	21	0	0
	German Hospital, Dalston	52	10	0
	New Hospital for Women, Marylebone Road	31	10	0
June 14	Marine Society's ship *Warspite* on its inauguration by H.R.H. the Prince of Wales	105	0	0
„ 21	Hospital for Diseases of the Throat, Golden Square, W.	21	0	0
	St. Mark's Hospital for Fistula, City Road	52	10	0
	Royal Naval Female School, Twickenham	52	10	0
	North Eastern Hospital for Children, Hackney Road	52	10	0
	Essex Industrial School and Home for Destitute Boys	52	10	0
	St. Michael's Mission Churches and Schools, Lant Street, Borough	31	10	0
	York Street Chapel, Walworth	26	5	0
	Westminster Hospital, Broad Sanctuary, S.W.	52	10	0
„ 28	Artists' Amicable Fund	26	5	0
	Fire at St. John's, New Brunswick	105	0	0
	St. Alban's Abbey Restoration Fund, second annual payment	52	10	0
July 12	Thames International Regatta	10	10	0
	William Webb, grant on removing shed from rear of 30, Deacon Street	10	0	0
Aug. 9	London City Mission, City Auxiliary, New Bridge Street, Blackfriars	20	0	0
	Working Men's Club and Institute Union, 150, Strand	25	0	0
	Charity Organization Society, Buckingham Street, Adelphi	25	0	0
	Towards the expenses of the team of British Riflemen proceeding to America to compete for the Centennial Trophy	5	5	0
Sept. 27	Indian Famine Relief Fund, Mansion House	525	0	0
Oct. 18	London Diocesan Penitentiary, Park House, Highgate	100	0	0
Dec. 20	Coburg Home for training girls for service, Elsham Road, Kensington	25	0	0
	Finsbury Dispensary, Clerkenwell	10	10	0
	British and Foreign Bible Society, Blackfriars	52	10	0
	Destitute Children's Dinner Society	21	0	0
	To the poor's boxes at the Mansion House and Guildhall, 25*l.* each	50	0	0
	To the poor's boxes at Bow Street, Clerkenwell, Greenwich and Woolwich, Lambeth, Marlborough Street, Marylebone, Southwark, Thames, Westminster, and Worship Street Police Courts, 20*l.* each	200	0	0
		2795	6	10
Annual subscriptions		234	4	0
		£3029	10	10

In 1878.

Feb. 7	St. Paul's Cathedral, balance for bell. (*See* December 12th for balance)	20	0	0

[*Fishmongers' Donations.*]

		£	s.	d.
Feb. 21	Royal Infirmary for Women and Children, Waterloo Bridge Road	50	0	0
	Invalids' Home Association (Home Hospital)	105	0	0
	Deaf and Dumb Asylum, Old Kent Road	52	10	0
	Mission Hall and Schools, Tredegar Road, Old Ford	21	0	0
Mar. 5	St. Alban's Abbey Restoration Fund, third annual payment	52	10	0
„ 15	Hall, reading and coffee room at the Fishermen's Hall, Dunmore East, Waterford Bay	10	0	0
April 18	Home for Working Boys in London, 30, Spital Square	25	0	0
	Turkish Compassionate Fund, per Baroness Burdett Coutts.	105	0	0
	Royal Naval School, New Cross	52	10	0
	Bethnal Green Library, the Hall, London Street, E.	26	5	0
	Army Scriptnre Readers and Soldiers' Friend Society, 4, Trafalgar Square, Charing Cross	25	0	0
	Belgrave Hospital for Children, Cumberland St., Eccles Sq.	25	0	0
	City Orthopædic Hospital, Hatton Garden	21	0	0
June 20	Home for the Smack Boys in Ramsgate	20	0	0
	Cheyne Hospital for Sick and Incurable Children, Cheyne Walk, Chelsea	52	10	0
	Towards defraying the expenses of the visit of artisans to report upon the various technicalities and industries displayed at the Paris Exhibition	26	5	0
	Home for Working Girls in London	26	5	0
	To the Agricultural Exhibition proposed to be held in London in 1879 under the auspices of the Royal Agricultural Society of England.	52	10	0
	London Hospital, Whitechapel	105	0	0
	Cabmen's Mission Hall and Rest, King's Cross	26	5	0
	Saint Michael's Free Mission Churches and Schools, Lant Street, Borough	31	10	0
	Wandsworth Home for Ladies with Limited Incomes	26	5	0
	City of London Volunteer Rifle Range Fund.	10	10	0
	Young Women's Christian Association, 56, Welbeck Street, Cavendish Square	21	0	0
	Saint Mark's, Walworth, Organ Fund	21	0	0
	Saint John's Church, Walworth (per Rev. Mr. Cotham), towards cost of fences, &c.	20	0	0
	West Ham, Stratford, and South Essex Dispensary	50	0	0
	Servants' Training Institution, Manor Road, Clapham.	21	0	0
	Provident Clerks' Benevolent Fund, Moorgate Street	21	0	0
Aug. 1	Thames International Regatta	10	10	0
	Thames Angling Preservation Society	10	10	0
Sept. 26	*Princess Alice*, accident on the Thames.	105	0	0
	Abercarno Colliery Disaster	105	0	0
Oct. 29	Decoration of Bridge Ward, Lord Mayor's Day	10	10	0
Dec. 12	St. Paul's Cathedral, balance for bell	59	9	8
	Saint Mark's Institute and Mission Hall, Dalston.	50	0	0
	Royal National Hospital for Consumption and Diseases of the Chest, Ventnor, Isle of Wight	52	10	0
	Parish Church of St. George the Martyr, Southwark, restoration fund	105	0	0
	Fox and Knot Society Building Fund	10	10	0
	Religious Tract Society, 56, Paternoster Row	50	0	0
	Saint Anne's Home for Gentlewomen, Wandsworth	10	10	0
	Right Hon. the Earl Russell's Memorial Fund	10	0	0
	London and Brighton Female Convalescent Home, purchase fund.	105	0	0
	Boys' Home, East Barnet	52	10	0
	To the poor's boxes at Mansion House and Guildhall, 25*l.* each	50	0	0
	To the poor's boxes at Bow Street, Clerkenwell, Greenwich and Woolwich, Lambeth, Marlborough Street, Marylebone, Southwark, Thames, Westminster, and Worship Street, 20*l.* each	200	0	0
		2118	14	8
	Annual subscriptions	211	1	0
		£2329	15	8

		£	s.	d.
	FISHMONGERS' DONATIONS IN 1879.			
Feb. 20	Lock Hospital	52	10	0
	National Sanatorium for Consumption and Diseases of the Chest, Bournemouth	52	10	0
	Society of Friends of Foreigners in Distress, 10, Finsbury Chambers, E.C.	21	0	0
	Charing Cross Hospital	52	10	0
	Hospital for Women, Soho Square	105	0	0
	University College, London, building fund, 1000*l.*, the other half to be paid in 1880	500	0	0
	Fishmongers' and Poulterers' Institution, two annual pensions of 15*l.* each, to be called the "Fishmongers' Company's Pensions"	22	10	0
	Association for Promoting the General Welfare of the Blind, 28, Berners Street, W.	21	0	0
	Destitute Children's Dinner Society	10	0	0
	Parish Church, St. Catharine Cree, Leadenhall Street, towards restoring the Company's arms, lately discovered with others in the ceiling	10	10	0
Mar. 5	St. Alban's Abbey Restoration Fund, fourth and last annual payment	52	10	0
April 17	Female School of Art, Queen Square, Bloomsbury, W.C.	52	10	0
	Hospital for Epilepsy and Paralysis, &c., Portland Terrace, N.W.	26	5	0
	Working Men's Club and Institute Union, 150, Strand	25	0	0
	Towards establishment of an Indian Institute at Oxford	100	0	0
	Seamen's Hospital Society (late *Dreadnought*), Greenwich	52	10	0
	Clayton Girls' Schools, York Street, Walworth	25	0	0
	North London Hospital for Consumption and Diseases of the Chest	52	10	0
	Establishment for Gentlewomen during Illness, 19, Harley Street, W.	21	0	0
	Royal Asylum of Saint Anne's Society, Streatham	52	10	0
	Wandsworth Home for Ladies with Limited Incomes	5	5	0
	New Hospital for Women, Marylebone Road	31	10	0
	Metropolitan and National Nursing Association, 23, Bloomsbury Square, W.C.	26	5	0
June 19	Dudley Stuart Horne, 77, Market Street, Edgware Road, W.	25	0	0
	To fishermen of Leigh, to rebuild the chapel	26	5	0
	Saint Michael's Free Mission Churches and Schools, Lant Street, Borough	31	10	0
	Endowed Schools, Kingston-on-Thames	50	0	0
	Metropolitan Association for befriending Young Servants, 7, Great College Street, S.W.	26	5	0
	City Orthopædic Hospital, 27, Hatton Garden	26	5	0
„ 26	All Saints' National Schools, Walworth (per Rev. O. Mitchell, M.A.)	26	5	0
	Aldgate Ward Schools	26	5	0
	St. Peter's Home, Isle of Thanet, memorial fund	50	0	0
Aug. 7	Parish Church of St. Giles, Wormshill, Kent, towards restoring and partially rebuilding it	21	0	0
	Boys' Industrial Home, Forest Hill, S.E.	10	10	0
	Thames Church Mission Society, 14, Bow Lane	26	5	0
Nov. 14	Sir Rowland Hill Memorial Mansion House Fund.	25	0	0
Dec. 18	Royal Agricultural Benevolent Institution, 26, Charles Street, St. James's, W.C.	105	5	0
	London Homœopathic Hospital, Great Ormond Street, W.C.	52	10	0
	Artisan's Institute, Castle Street, Leicester Square	50	0	0
	House Boy Brigade	52	10	0
	Saint Anne's Parochial Sick and Visiting Society, Wandsworth	10	10	0
	To the poor's boxes at Mansion House and Guildhall, 25*l.* each	50	0	0
	To the poor's boxes at Bow Street, Clerkenwell, Greenwich and Woolwich, Lambeth, Marlborough Street, Marylebone, Southwark, Thames, Westminster, and Worship Street Police Courts, 20*l.* each	200	0	0
		2261	5	0
	Annual subscriptions	231	11	0
		£2492	16	0

The Fishmongers' Company has during the ten years made the following Annual Subscriptions in Ireland. Each of the Companies owning Irish properties has made subscriptions proportionate to its means and interests.

——	1870.	1871.	1872.	1873.	1874.	1875.	1876.	1877.	1878.	1879.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Banagher Cricket Club	2 2 0	2 2 0	2 2 0	2 2 0	2 2 0	2 2 0	2 2 0	2 2 0	2 2 0	2 2 0
Derry and Raphoe Diocesan School for the Deaf and Dumb	3 3 0	3 3 0	—	—	—	—	—	—	—	—
Eglinton National Schools at Faughanvale	—	20 0 0	10 0 0	10 0 0	—	10 0 0	10 0 0	—	—	10 0 0
Londonderry Infirmary	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0
Mutual Improvement Societies at—										
Ballykelly	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	—	6 6 0
Banagher and Cumber	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0
Dunbrock	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0	3 3 0
Presbyterian Orphan Society, Belfast	—	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0
Protestant Orphan Society, Londonderry	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0	10 0 0
Tamlaghtfinlagan church and rector—										
Towards the repair and general expenses of the church	—	5 0 0	—	5 0 0	5 0 0	5 0 0	5 0 0	5 0 0	5 0 0	5 0 0
Towards insuring the life of the rector for a second sum of 1000*l.*	—	50 0 0	50 0 0	50 0 0	50 0 0	50 0 0	50 0 0	50 0 0	50 0 0	50 0 0
Upper Cumber Sunday School	—	6 0 0	3 0 0	—	6 0 0	3 0 0	3 0 0	3 0 0	3 0 0	3 0 0
	34 14 0	125 14 0	104 11 0	106 11 0	102 11 0	109 11 0	109 11 0	99 11 0	96 8 0	112 14 0

FISHMONGERS' DONATIONS IN IRELAND.

In 1870.	£	s.	d.
Dispensaries	60	0	0
Presbyterian Ministers and Roman Catholic Priests (annual)	120	0	0
Pensions and casual relief	216	6	7
Farming societies	47	2	0
Schools on the estate	529	4	7
Grants to societies[1]	45	0	0
Annual subscriptions	34	14	0
	£1052	7	2

In 1871.	£	s.	d.
Dispensaries	60	0	0
Presbyterian Ministers and Roman Catholic Priests (annual)	120	0	0
Pensions and casual relief	234	0	7
Farming societies	77	2	0
Schools on the estate	525	9	1
Annual subscriptions	125	14	0
	£1142	5	8

In 1872.	£	s.	d.
Dispensaries	40	0	0
Presbyterian Ministers and Roman Catholic Priests (annual)	120	0	0
Pensions and casual relief	265	1	2
Farming societies	47	2	0
Schools on the estate	507	9	3
Roman Catholic Chapel at Park	10	0	0
Town Hall, Newtownlimavady	100	0	0
Irish Church Sustentation Fund, part of 2000*l.*	1000	0	0
Annual subscriptions	104	11	0
	£2194	3	5

In 1873.	£	s.	d.
Dispensaries	54	18	5
Presbyterian Ministers and Roman Catholic Priests (annual)	120	0	0
Pensions and casual relief	355	10	4
Farming societies	27	2	0
Schools on the estate	583	18	3
Roman Catholic Chapel	69	12	8
Irish Church Sustentation Fund, part of 2000*l.*, leaving 500*l.* to pay	500	0	0
Grants towards buildings[2]	35	0	0
Annual subscriptions	106	11	0
	£1852	12	8

[1] Matthew Eakin, donation in consequence of a fire on his premises, 20*l.* J. B. Scott, grant towards the restoration and repairing Banagher Church, 25*l.*

[2] Rev. S. M. Dill, towards building a manse for the Presbyterian Church at Lower Cumber, 25*l.* Rev. N. M. Brown, towards expenses of Presbyterian meeting house, Drumachose, 10*l.*—Total, 35*l.*

Fishmongers' Donations in 1874.	£	s.	d
Dispensaries	25	10	9
Presbyterian Ministers and Roman Catholic Priests (annual)	120	0	0
Pensions and casual relief	404	16	3
Farming societies	47	2	0
Schools on the estate	724	18	7
Roman Catholic Chapel	46	13	2
Irish Church Sustentation Fund, balance of 2000*l.*	500	0	0
Donations [1]	130	10	0
Annual subscriptions	102	11	0
	£2102	1	9

In 1875.

Dispensaries	88	19	8
Presbyterian Ministers and Roman Catholic Priests (annual)	110	0	0
Pensions and casual relief	372	11	1
Farming societies	67	2	0
Schools on the estate	698	14	5
Royal Agricultural Society, towards expenses of show at Londonderry	50	0	0
Presbyterian Church and Manse, Ballykelly	10	0	0
John Robinson, grant towards funeral expenses of his mother	3	0	0
Annual subscriptions	109	11	0
	£1509	18	2

In 1876.

Dispensaries	23	2	6
Presbyterian Ministers and Roman Catholic Priests (annual)	130	0	0
Pensions and casual relief	317	12	7
Schools on the estate	765	2	3
Farming societies	52	7	0
Annual subscriptions	109	11	0
	£1397	15	4

In 1877.

Dispensaries	49	1	3
Presbyterian Ministers and Roman Catholic Priests (annual)	140	0	0
Pensions and casual relief	257	11	0
Schools on the estate	1192	5	11
Farming societies	72	7	0
Wesleyan Chapel Limavady Building Fund	10	0	0
Meeting House, Eglinton, repairs thereof	25	0	0
,, (second donation)	25	0	0
Walker's Monument in Derry (repairs)	10	10	0
Presbyterian Meeting House, Myroe	10	0	0
Rev. Edward Loughery, Roman Catholic Curate of Park, towards building a house	15	0	0
Annual subscriptions	99	11	0
	£1906	6	2

[1] Jane Robinson, as widow of late bailiff, 5*l.*; John McGrath, for the orphans of John Reid, of Glasvea, 40*l.*; Martha Dunn, to build a porch at back of house, 14*l.*; North of Ireland Horticultural Society, 10*l.*; David Evans, sub-agent, on leaving house, 5*l.*; Mrs. Scott, late Miss Gage, on her marriage, 31*l.* 10*s.*; Rev. R. L. Rogers, 25*l.*—Total, 130*l.* 10*s.*

Fishmongers' Donations in 1878.	£	s.	d.
Dispensaries	22	15	0
Presbyterian Ministers and Roman Catholic Priests	120	0	0
Pensions and casual relief	257	14	9
Schools on the estate	1020	12	11
Ulster Institution for the Deaf, the Dumb, and the Blind	3	0	0
Farming societies	72	7	0
Annual subscriptions	96	8	0
	£1592	17	8

In 1879.	£	s.	d.
Ballykolly Dispensary	26	10	5
Presbyterian Ministers and Roman Catholic Priests	120	0	0
Pensions and casual relief	250	4	8
Schools on the estate	1188	16	4
Farming societies	42	7	0
Ulster Institution for the Deaf, the Dumb, and the Blind	3	0	0
Faughanvale Presbyterian Church, Eglinton, towards Manse Purchase Fund	50	0	0
Faughanvale Roman Catholic Chapel, towards its enlargement	10	10	0
Upper Cumber Presbyterian Church, in aid of a Building Fund for a Manse	50	0	0
Annual subscriptions	112	14	0
	£1854	2	5

The Livery Companies' general beneficence.

It is within the mark to say of this ten years' record of the good Fishmongers, that if Mr. Firth and his comrades have been guilty of no other good, they merit general gratitude in having been the means of its publicity. The Goldsmiths', the Drapers', the Clothworkers' and indeed all the Companies make like exhibit of boundless charity, and these donations are all outside and irrespective of their general charities. London abounds in evidences of their goodness. One of the greatest pleasures of the writer in occasional visits to London is to grope about among the old City churches. The general world has little idea of the charms these old temples of God afford. When worshipping in that venerable and beauteous fane, St. Bartholomew the Great, close to the Hospital, he found it evidenced that the good Ironmongers had been for generations thoughtful for it, and that probably they have been no mean helpers in keeping the blessed edifice from becoming a ruin. The paint on the old Benefaction Board is well-nigh worn off, but strong spectacle power enabled the deciphering that every now and then the Ironmongers look in and drop a hundred-pound note as evidence of mindfulness. Good Companies all! treasure you up this grand old St. Bartholomew relic, it is a gem of old London, beauteous in the extreme! Make it a suitable approach for the world's entrance and gaze! The service now rendered within its sacred walls is hearty, and well conducted, the worshippers are many, and though perhaps not over-endowed with this world's goods, yet they show becoming reverence for God's sanctuary. Good Ironmongers keep their holy temple in remembrance.

The Ironmongers' Company and Church of St. Bartholomew Great.

In course of the inquiry several of the public Educational Colleges, and also a few Charitable Institutions presented themselves before the Commission as candidates for any monies that may be lying about in odd corners, should the hoped-for plunder ever be consummated. The wily agitators had urged the applicants to push their several imaginary claims to the front, knowing that in so doing they were adding fuel to the fire. Like adroit public showmen at the fair, they realized that noise was the all-desirable feature.

CHAPTER VII.

The testimony given by her Majesty's Charity Commissioners in itself a refutation of the false words of Companies' slanderers—Evidence of Mr. Hare, her Majesty's Senior Inspector of Charities; his definition of functions of the Charity Commissioners under the Act of 1853—Charity Commissioners' powers to call for any documents relating to charities—Case of Wax Chandlers' Company applying a surplus to their own funds—Vice-Chancellor Hall and Lord Selborne advise Merchant Taylors' Company as to their surplus—Charity Commissioners practically in possession of the whole of the charitable trusts of the guilds—Suggestions of Mr. Hare—Explanations of Mr. Hare relating to his evidence—Evidence of Mr. Longley, her Majesty's Commissioner of Charities—He testifies that the Companies are exceedingly liberal in the administration of their trusts, and that all the Companies have rendered proper accounts—Mr. Longley says the various Companies are anxious their alms-folk shall have sufficient stipends—Mr. Longley testifies that the Mercers' Company's large income of St. Paul's School is judiciously expended; and that the management of the Mercers' Company is excellent—Mr. Longley states that he never knew of any member of a court taking lease of property and subletting at higher rate—Necessity of heed being given to the important declarations of the Charity Inspectors so favourable to the Companies.

THERE is not any more important feature of the Royal Commission of Inquiry into the Livery Companies than the testimony given so readily by her Majesty's Charity Inspectors, evidencing as it does such thoroughness in the charity work of the much-abused Companies. It has been the object of Mr. Firth and his lieutenant Beale to represent to the industrial classes at the meetings of their clubs that the working classes of the metropolis would in some way or other be benefited by the transfer of the corporate property of the Livery Companies from the Companies to some other body or trust, and used in some way for their purposes. It is to be hoped the class will look at the question fairly and honestly, free from the serpent-charming of paid agitators who for their own purposes of getting hold of the constituency, make outrageous misrepresentation of actual facts. If this class will listen to the counsels of safer advisers, they would find that the money now expended by the Companies either directly or indirectly for their benefit would be withdrawn from them, and without their getting any equivalent.

Mr. HARE, her Majesty's Senior Inspector of Charities, and Mr. Longley, her Majesty's Commissioner of Charities, gave evidence at the earliest sitting of the Commission.

The CHAIRMAN (Lord Derby), addressing Mr. Hare, said: I think you are the Senior Inspector of Charities under the Charity Commission, and I need not ask you whether you have taken considerable interest in, and paid much attention to, questions of municipal government and of charity administration?

I have.

You have been occupied, as I understand, with the charities administered by the City Companies at various times?

At various times, many years ago. I have not done much in that way since 1865.

Between 1860 and 1865 I think you were employed in that way?

I was.

Will you kindly explain to the Commission what are the functions of the Charity Commission; under what Act of Parliament it obtains its powers, and what is its position as regards the City Livery Companies. Probably you would prefer to give your explanation in your own way?

Mr. Hare's definition of the functions of the Charity Commission under Charitable Trusts Act of 1853.

I suppose that the Commission knows that the Charitable Trusts Act was passed in the year 1853. It was the first jurisdiction then established applicable to charities exclusively, and it was intended to prevent the vast waste of money which was constantly incurred in charities, by the institution of suits by relators whenever they thought they had an opportunity of having them inquired into in the Court of Chancery. The powers, which were general, are set forth at considerable length in the Act of 1853; it gave power of inquiry; it gave power of authorizing leases and for the alienation of estates; it gave also for the first time an officer who should be the conduit-pipe of the real estate, so that the real estate should be vested in one person continually, while the trustees should have the management as before for the purpose of administration. It gave also the power of taking proceedings for setting new schemes where the charities were under 30*l.* a year; the amount was afterwards increased to 50*l.* upon the application of one or more inhabitants or persons interested. That is the present restriction. It gave full power of inquiry into all charities.

You have been brought, as inspector, into contact with the Courts of the various Companies, I suppose?

No, not with the Courts; very rarely were they attended by anybody but their clerks or one or two persons who produced the documents and gave me the papers I asked for; but very rarely by any of the members of the Courts.

There are in existence, as we understand, reports dealing with all the charities of the City Companies?

The Charity Commission, which commenced about 1818 by Lord Brougham's instigation, went on under several separate Acts of Parliament and finished its work about 1840 or somewhat later. All their reports are printed, and they occupy about forty or fifty folio volumes.

Have you had to examine those reports, and, as a matter of fact, have you done so?

In all cases when I went to the City Companies I took the printed report of the former Commission, and began by inquiring whether that was accurate, and whether there was any addition or amendment to be made to it. I adopted that as the basis of my inquiry, taking up, of course, the subject of any variations in the property, and subsequent gifts, if any.

Had the framers of those earlier reports which you consulted full access to the documents of the Companies?

The power given by the Act of Parliament enabled them to inquire into trusts only, and, therefore, if an independent title was asserted, they would have had no power to go beyond the trust.

The Charity Commissioners have powers to call for any documents relating to charities.

The Commissioners had power to call for any documents relating to the charities of the Companies, had they not?

Yes; they had.

But I presume in a doubtful case the Company itself would be the judge whether the property was held in trust or otherwise?

They must necessarily be the judge.

You have drawn up reports of your own between the dates you mentioned, 1860 and 1865?

Yes, for a great number of Companies—all that appeared by the former reports to have had charities.

Did you base your reports upon those of the earlier Commissioners?

I began with those in my inquiry; I took them as the basis of my inquiry, and then I referred, where the documents were the same, to the former report.

Are you aware of any cases in which informations have been filed by the Attorney-General against the Companies for breaches of trust?

I am not aware of many cases of that kind. I might accidentally have heard of them, but I never had an official knowledge of the cases I may mention one case, by the way, of which I was cognizant, that of the Wax Chandlers' Company, in which I found that there were some houses in the Old Change charged with a payment of about 8*l.* a year to poor persons, with the direction that the remainder of the rent of the houses was to be carried to the chest of the Company and applied to the repair of the houses. I told the Company that it appeared to me that that was not a gift to them, but still continued to be a charity. They applied all the surplus over 8*l.* a year to their own funds. I found the same to be the case in the Merchant Taylors'; they had a very large charity, about 2000*l.* a year, and they had taken the opinion of their counsel, the present Vice-Chancellor Hall, and Lord Selborne, who advised them that the surplus was devoted to charity. They accordingly founded with it the Convalescent Hospital at Bognor, instead of applying it to their own funds; and I recommended the Wax Chandlers' Company to do the same, but they thought it would take away so large a portion of their funds that they declined to do it. An information was filed. It was heard first before Lord Romilly, and then before Lord Hatherley, who decided in favour of the Company. It then went before the House of Lords, who decided that I had been right in holding it to be a charity, and the whole surplus was then handed over as a charitable trust. I do not remember at this moment any other case.

Case of Wax Chandlers' Company applying a surplus to their own funds

Vice-Chancellor Hall and Lord Selborne advise Merchant Taylors' Company as to their charity surplus which they then devoted to found Convalescent Hospital at Bognor.

The Chairman: I do not know whether I am right in assuming that your reports are unpublished and have not been printed?

They have not been printed; the reports of the City Parochial Charities have all been printed, but not of the Companies.

Have you any idea what would be the bulk of your reports if it were found desirable to publish them?

I fear that it would be found to be a very voluminous document of a great many hundred folio pages.

Mr. Alderman Cotton: Are you aware that the Charity Commissioners speak very highly indeed of the liberality of the Companies in respect to the charities administered by them?

I believe so.

They find no fault as to that?

I believe not.

When the Charity Commission looked into the trusts of the various guilds they were found, considering the long time they ran back to, to have been most honestly, straightforwardly, and well administered, was not that so?

I do not know that any verdict of that kind was found one way or another; but I do not know on the other hand that any fault was found with them.

Mr. Alderman Cotton: The Charity Commissioners have taken possession lately of the whole of the charitable trusts of guilds—I speak with authority upon that matter; and if you will make inquiries, you will find that it is so—the only moneys which the guilds are now dealing with are those which they consider to be their own property?

Charity Commissioners in possession of the whole of the charitable trusts of guilds.

What you mean is, that the funds are administered under the direction of the Charity Commissioners?

The schemes are submitted to the Charity Commissioners, and when they are widened we have to ask their consent to the widening?

Perhaps you will refer me to one scheme?

There are a great many small schemes in connection with the Saddlers' Company under which pensions and things of that kind are made?

I am not aware of any.

Are you aware that the Haberdashers' Company's schools are under the control of the Charity Commissioners?

Perhaps you refer to the accounts being given?

I call it a very strong control when the Company are not allowed to spend any money whatever without the consent of the Commissioners?

We have no power of auditing.

You have an audit, have you not?

We make inquiries, but cannot disallow anything.

Sir Nathaniel M. de Rothschild: You say you have no power to control the charities or the way in which the charities are dispensed by the different Companies?

None at all.

But you have the power of observation?

Yes.

Having the power of observation, do you think as a rule that the Companies, as trustees, have behaved honestly, or behaved dishonestly?

I am not able to place my hand on any act of dishonesty, that I know of. I believe they have acted honestly, to the best of their judgment.

Whenever there have been any cases, you have taken notice of them?

Yes.

You took notice of it in the case of the Mercers' Company once?

I am not aware of the case.

You brought an action against them which you won, when you said that they had not applied all the funds to a certain school?

There were two cases; one the Merchant Taylors' Company, and the other the Wax Chandlers'.

You have power of observation; so that if there were any gross violation of trust, you would know it, though you have no power of management?

Yes.

Additional to his evidence, Mr. Hare supplied the following suggestions:—

Suggestions of Mr. Hare.

My suggestions for the reform of the present administration of the Companies is, that their connection with the arts, crafts, and trades which, according to the terms of their constitution they are designed to comprehend, shall be restored, including within the latter all the analogous trades and industries which have grown out of, or been developed from, or into which the arts and crafts originally named have since expanded. The avocations included in the business of mercers, drapers, haberdashers, and clothworkers, would embrace vast numbers of the working classes, to whom an intimate association with bodies of the wealth and importance that these guilds have attained may be made a source of great advantage. The members to be admitted may be of two main classes, those employed in the manufacture and those in the distribution of the several productions. The factories for production are now widely spread throughout the kingdom, and no persons engaged in them, wherever situated, should be excluded. The distributive workers, as keepers of shops and those employed therein, might be confined, as the Companies now generally are, to London and the suburbs.

It is impossible not to see that the increase of population and the progress of wealth in modern times, followed up by the amazing changes introduced by machinery, and the boundless power of steam, has altered

the old conditions and relations which existed between capital and labour, and has vastly widened the separation, and has, in many cases, produced what may be called an estrangement between the employer and the workman. Nothing is more important than to seize and make the utmost of every opportunity of creating a common feeling of interest, that the labouring classes may clearly perceive that their welfare is bound up with that of their neighbours, and of society in general. Efforts are being made by many with this view to give to the agricultural labourer an interest in his cottage and garden and allotment, or to enable him to acquire some proprietary right; and to extend to the working people of the towns the advantages which their association with these Companies might confer would, in like manner, be calculated to win and secure their adherence to the side of law and order.

The admission of the member to the Company might be on a certificate of age, of his actual employment or trade, and whether obtained and taught by apprenticeship, or other instruction.

A small admission fee, not exceeding, say, 5*s*., may be required, and an annual payment of a shilling or two, for preserving the connection. The wardens and members composing the Courts of the Companies would be properly elected by the members at large. There would be no reason why the present members of the Court should not be continued for their lives, an additional number of newly elected members being added.

The identification of the Companies with their trades, and the association of them with the working classes, may be beneficial to the latter in more ways than can, at present, be imagined. The names of the children of a member might be entered in the register of his Company, stating the public, elementary, or other schools at which they are educated. They may be admitted on favourable conditions as scholars, and be encouraged to compete in prizes and exhibitions in the technical colleges. To these colleges may be added travelling fellowships, whereby other countries may be visited, and their methods and appliances in the various arts and manufactures ascertained and compared with our own, and economical and artistic progress thus promoted. The officers of every Company would be supplied with constant statistical information of the greater or less activity and state of trade in the chief manufacturing towns and districts, and where labourers may be needed, or are in excess. In the distribution of the eleemosynary funds, in almshouses, or pensions, or other rewards, they should, as I have elsewhere pointed out, be treated as rewards for those members who are shown "to have "expended the best years of their lives industriously and providently, "and to have brought up their children well."

There is still another, and even a yet higher service which these great Companies could render to their affiliated members. The chief of the difficulties of the working man and his family in our populous centres of traffic and labour is that of obtaining a comfortable dwelling within his means. He is often compelled to live in filthy lodgings, at the mercy of those from whom he must rent them, and exposed frequently to boisterous and perhaps drunken fellow-occupiers of the house, over which he has no control. Such a condition and its surroundings strike at the root of that temperament of mind which would promote habits of order and culture. Nothing appears to me more important than that the town as well as the country labourer should feel that he has a home into which he may at all times quietly return, and where he may gather and preserve any books, furniture, or other articles for his comfort and enjoyment. The same want, and its accompanying evils, exists abroad. In a book, treating elaborately of the state of the labourers in Paris and other towns in France, I have just read: "Le loyer pour le travailleur

" est souvent la cause du désordre dans le ménage, surtout avec l'éléva-
" tion exorbitante de ces derniers temps. L'impossibilité de trouver un
" logement d'un prix possible, la rapacité et les prétentions de certains
" propriétaires, sont la cause souvent, très-souvent, de découragements
" incroyables, de haines implacables, et la base de misères effrayantes et
" d'avilissements honteux."

A portion of the accumulated funds of the Companies, and the produce of some of their present real property, as it could be advantageously sold, might be gradually employed in the purchase of house property in London, and in the immediate neighbourhood of the great centres of labour, or on spots readily accessible therefrom. Any necessary alterations and improvements in the property may be made, adapting it for the habitation of the members of the Company and their families to whose places of employment it affords convenient access. Of these properties the Company should hold the fee, and enable their associate members to purchase or take leases for any terms of years which they may agree upon, payments, graduated or otherwise, being accepted from the purchasers, prices and rents being fixed at a rate which shall be sufficient fully to reimburse the Company. A house may be let as a whole or in rooms or flats, as required by the tenant, and if he desires to extend or to surrender his lease, he may do so at rates regulated by tables calculated to secure the Company from loss, but without exacting profit. Or the workman may remove to another situation or another town in which the Company, if they have premises there, may enable him to exchange his dwelling on suitable terms. In this disposition of property it will be observed that I contemplate nothing in the way of charity. I am regarding the Company as employing a portion of its wealth in securing comfortable homes for its members, avoiding at the same time any loss of capital, but seeking no accumulation of profit from the transaction.

The highly endowed Companies, the objects, conditions, and destinations whereof are the subject of this inquiry, may wisely and justly be brought into harmony with their early history, and made the nucleus or a co-operative union of far greater extent, and wider and more beneficial influence, than any which has yet grown up, or been formed, during the progress of modern civilization. They may be the means of binding together the various sections of employers and workmen, and directing their attention to objects in which they have a community of interest, and which minister to the prosperity and well-being of all.

Memorandum (B) by Mr. Hare.

Explanations of Mr. Hare as to his evidence.

I desire to explain that part of my former evidence which expressed my belief that the obstacles imposed by what is called the Mortmain Act to the devise of real estate for charitable or public purposes are a great misfortune. It seems to me that there cannot be too much of the land of the country devoted to public purposes, the State reserving to itself the power of regulating such purposes, so that they shall not be otherwise than beneficial, and placing the estates under the management of agents appointed for prescribed districts, who, while securing for the institutions for which the trusts are held the due produce and profit, shall yet have regard to the general utility and benefit. The efforts and interests of occupiers in all the works of cultivation and of improvement might be promoted and carried out in every variety of form. Tenancies not longer than for a life or lives, or a term of years of similar duration, may be created by way of sale or lease, according as it may be deemed best in the joint interest of the public and the purchaser or lessee. By

the word sale I mean that the lease may be granted free of rent, in consideration of the sum paid by the lessee at its inception or by subsequent instalments, if the lease be not made at the full rent at the time. Where the management is by a public officer, as that of all lands held in mortmain or on perpetual trusts should be, the personal views, prepossessions, or prejudices of a private owner of agricultural land, often almost inevitably antagonistic to any thorough encouragement or development of the subordinate interests of tenants and occupiers, are entirely eliminated, and inducements for unlimited expenditure of capital and labour in improvements may be held out. If a private owner was asked by a tenant to grant him a lease of a part of his estate for his life or for a term of fifty or seventy years, with unrestricted powers of improvement, the private proprietor, actuated by reasons with which most persons might sympathize, would probably refuse such a concession. It would deprive him of that authority and dominion over that portion of his estate, and the occupiers might have power to deal with it in a manner that would be unpalatable or offensive to him. A long lease, moreover, granted on the payment of a gross sum to the owner of the fee, would be inconsistent with most settlements of real property. These obstacles to the creation of subordinate holdings of an independent character under private ownership would have no existence in the case of the public estates. The public would have no prejudice against parting with their authority over such of its lands for the term agreed upon, and would be satisfied and secure on the possession of the annual rent or of the equivalent capital sum. Again, the tenant under public ownership might be enabled at any time, under suitable terms, to extend or to surrender his lease or commute his rent. Tables of value and duration might be settled analogous to the terms on which insurances for life or pensions at specified ages are arranged. No special arrangements of this kind are generally possible with regard to interests in lands held under private owners. The commercial facilities of dealing with land would be thus indefinitely multiplied. The interposition of the State to prevent land from being devised to public purposes, which has gone on for nearly 150 years, therefore appears to me a most absurd and mischievous policy.

THE EVIDENCE OF MR. LONGLEY, HER MAJESTY'S COMMISSIONER OF CHARITIES.

Evidence of Mr. Longley, her Majesty's Commissioner of Charities.

Mr. Henry Longley, the Charity Commissioner, was examined on the third day of the Commissioners' Sitting, the 22nd of March, 1882.

The Chairman.—I need hardly ask you whether you are a Charity Commissioner?

I am.

How many years have you held office?

Nearly eight years; I was appointed in 1874.

You have, in your official capacity, had dealings with various amongst the City Companies?

With some.

We understand the Companies are bound, under an Act of Parliament, to submit an account of their expenditure on charitable purposes yearly to the Charity Commissioners?

They are.

Has that Act been complied with?

Yes, it has, with more regularity than is the case in most other charities. I have got a paper here which shows the dates of the latest accounts which we have received from the Companies, which will show

that they are not far behindhand. The accounts appear to have been all rendered for the year 1880, with only two or three exceptions, and a considerable number for the year 1881; and when I say that they have been rendered for the year 1881, that is really more than they are bound to do, because they are not bound to return the accounts till the 25th of March, 1882, so that this is what we should consider a very good state of accounts.

I will put a more general question to you. Can you state your impression of the manner in which the Companies, generally speaking, have discharged their duties as trustees?

Longley testifies that the Companies are exceedingly liberal in their administration of these trusts.

I have only experience of a limited number of Companies; and in regard to those Companies I should say that they have been exceedingly liberal in their administration of the trusts, and in many cases, which are already known to the Commission, they have subsidized the trust funds, in many instances very largely, out of their corporate income. On the other hand, our experience is that their administration of the trusts has been on a very generous scale as regards expenses, almost lavish in some cases.

If there was money left to a Company, to the Wax Chandlers' Company or the Goldsmiths' Company, or any other Company, simply in the name of the Company, without any trust attached, you would not consider it was trust property at all?

No.

Mr. Burt.—I understand you to say that the Companies generally have complied with the law in rendering their accounts?

Yes.

There are exceptions, I suppose?

All the Companies have rendered proper accounts.

All the Companies, I think, have rendered the accounts. The paper that I have in my hand shows that every Company has rendered the accounts. The Bowyers' Company appears to be behindhand, and the Wool Winders'; but it is doubtful whether they have more than one charity each.

The Chairman.—With regard to the application of the Companies' charities, are you aware how their trust income can be spent; have you got the figures before you?

Yes, I have the figures.

Should we be accurate in taking it at 75,000*l.* for the relief of poor members, 75,000*l.* more for education, and 50,000*l.* for miscellaneous charitable objects, making 200,000*l.* in all?

I am afraid I cannot verify those figures. I asked our Registrar of Accounts, when I heard that I was to be examined, whether he could get out the figures, but he said it would take a very long time. I have no doubt that this information is quite as correct as any that we could furnish.

Have you any knowledge of the details of that expenditure; would it come before you?

Yes, we have all the accounts; we can see how it is all spent if we refer to the accounts; and in the cases with which I have had personally to do I am aware of a good deal of the detail.

First of all, with regard to the relief of the poor members, how is it administered; are there almshouses and pensions, or in what other form is it administered?

I am not aware of any form other than almshouses and pensions in which it is administered, except that money grants are made in some cases, but a very large proportion of it is administered in almshouses, and a very large sum in pensions.

Do you consider that that system has worked satisfactorily upon the whole?

I have had no means of ascertaining how far it has met the wants of the poor of the Companies, because I do not know how many poor there are in each Company; we hear hardly any complaints on that score; the Companies are generally anxious that their alms-people should have sufficient stipends, and in many cases they have made up the payment from their own corporate funds.

Various Companies' anxiety that their alms-folk should have sufficient stipends.

We have had it stated that to the 200,000*l.* which I mentioned just now they add out of their corporate income 140,000*l.* more?

That I have no personal knowledge of, and if the accounts would not show it, we should have no means of verifying it; they might, but the Companies are not bound to tell us all that.

With reference to the educational endowments, are you acquainted with the Mercers' Company?

Yes; I have had a good deal to do with some of the charities of the Mercers' Company.

They are trustees of St. Paul's School, and also of the Mercers' School?

They are.

Are those schools largely endowed?

Very largely. St. Paul's School has an income of about 12,000*l.* a year, which is now administered by a scheme made by the Endowed School Commissioners, about the year 1874 or 1875, which has since been amended in some details by the Charity Commission.

Longley testifies as to the income of 12,000*l.* per annum, that same is most judiciously expended.

Have you had an opportunity of examining those schemes in detail?

Yes, I have; I have got the scheme here, and I have got the details.

Do you consider that the endowment is properly expended for the purpose for which it is intended?

Perhaps I had better state a few figures. The income being 12,000*l.* a year, the scheme requires them to maintain a school, or rather two departments of a school, for 1000 boys, and a school for 400 girls, both of which are to be maintained within a short distance of London. The annual charges prescribed by the scheme, that is to say, for the payment of the masters for the free boys, and exhibitions for the girls, and for repairs, are 6340*l.*; besides that, the income would have to bear the expense of examinations, management, and other expenses; then they have to buy sites for these two schools, and to build the schools, which would involve a very large appropriation of capital. Nothing has yet been done in respect of the school for girls, because the governors are employed now in establishing the school for boys. I should say that the school is subject to two governing bodies; the Mercers' Company are the estate trustees, and manage the property, and pay over the income to the governing body specially appointed under the scheme. The Charity Commissioners have sanctioned the expenditure of 41,000*l.* upon a site near Hammersmith, close to the Metropolitan District Railway, and they have sanctioned an expenditure of 91,000*l.* upon the school buildings, and those buildings have been in progress about a year, and, pending the establishment of that school, we understand that the governors do not propose to do anything in respect of the girls' schools. They are meeting this expenditure as far as they can out of the income of the school; but they will not be able to meet it all. So that the endowment, so far as we are aware, is very judiciously applied at present in carrying out the scheme, and probably, after the deductions of capital are made, which are necessary to give full effect to the scheme, there will not be any large surplus.

Are you aware that in many cases the Livery Companies consist of members of particular families?

I have seen it stated in a paper which the secretary of the Commission has been good enough to furnish me with.

For instance, in the Mercers' Company there are ten bear the name of Watney, nine Walker, seven Collier, seven Hodgson, seven Smith, five Parker, five Sutton, and three Watson; does not that rather convey that the Companies, although essentially public bodies, are composed to a great extent of a limited number of private individuals—clans?

Testifies that the management of the Mercers' Company is admirable.

I should infer it from that statement in the case of the Mercers' Company; but the Mercers' Company is admirably administered.

Have many of them been dealt with by your schemes?

Yes, a good many. The most important one now being dealt with is the Bancroft School under the Drapers' Company. There the expenditure was very large in proportion to the results; but the Drapers' Company are going to make a large addition to their school, and it will be expended in the same manner as St. Paul's School.

Did you not tell us that the Drapers' Company had largely supplemented the funds under the control of the Charity Commission?

I have no doubt that that is so.

Therefore are they not to have some credit?

Certainly; but the schemes are originated for the most part by our Commission, which takes the cases in hand. In the Drapers' case Iam not sure how it was, whether we came to them or they came to us.

I must ask you whether it was not the fact that the Drapers' Company applied to have a new scheme under the old charity, and under the legacy left by Mr. Deputy Corney?

Yes, I find that in 1870 the Company submitted a draft scheme to the Endowed School Commission, after the Endowed Schools Act was passed.

Mr. James.—Has it ever come to your knowledge, as has been sometimes stated, that members of the Court in the management of the Company's property take leases to themselves at low rates and then sublet at high rates; have cases of that kind ever come to your knowledge?

Longley states that he has never known of any member of the Court of a Company taking lease of property and subleting at higher rate.

No, I have never heard of a case of that sort.

Has it come to your knowledge that pensions are paid to members of the Court or members of the livery?

No, I am not aware otherwise than that I have seen it so stated in the paper handed to me by the secretary of the Commission.

The Royal Commission no better result than its testimony through the Inspectors of Charities as to the Livery Companies' Charities being well and honestly administered. The lesson working men should learn therefrom.

Let heed, then, be given to the testimony of the Inspector of Charities. It will show the working classes who are their true friends. Whether Firth and Beale, who are interested only in getting hold of them as supporters in their raids upon everything that is honest and good; or whether the Livery Companies, who ask them for nothing save to be prudent and loving of their fellow-men, are most to be trusted. Her Majesty's Inspectors of Charities are surely disinterested. They declare the Charities of the Liveries to be faithfully and economically administered, so also that the Charity Commission has the supervision of all charities that should come under it, and that the Courts of Assistants are one and all extremely anxious to bring their several schools and charities under the Commissioners' cognizance in every instance where such submission is for the good of the institution. The Companies' enemies represent the exact contrary of this. It is to be hoped that the circulation of this volume, honestly intended to convey not one word save of strictest truth, may serve as antidote to interested poison, and that right may prevail.

CHAPTER VIII.

Declaration and protest of the Grocers'-Company as to the Commission being breach of the liberties of the subject—The Company's special memorandum—Cites various decisions of the courts bearing on their properties—Mercers' Company's declaration accompanying their returns—Evidence of Mr. Travers Smith of Fishmongers' Company—Mr. Beale before the Commission, his close connection with Firth and Warr—Beale as a writer and public agitator, his hunting-grounds, and connection as assumed orator for Chelsea Clubs—He admits his agitation against the Companies—Particulars of incomes, &c., of the various Livery Companies—Able character of the Dissent Report—The Dissent Report—Protest of Mr. Alderman Cotton.

GENERALLY in sending in to the Commission their returns as to property, incomes and expenditure, the Companies' through their respective clerks, contented themselves with a general expression of their compliance as a matter of pleasure and courtesy. The Grocers' Company, through Mr. Ruck, and the Mercers' Company through Mr. Watney, accompanied theirs with admirable papers declaratory of their rights, and which apply to all the Companies with equal force as to their own.

Declaration and protest of the Grocers' Company made through medium of a memorandum.

The Grocers' Company declare that they have answered fully all the questions addressedto them by the City of London Livery Companies' Commissioners. They have done so in deference to her Majesty's Commission, but they deem it their duty to record their earnest protest that an inquiry by the Crown, without the authority of Parliament, into what has been judicially declared to be private property, is without precedent, arbitrary, and a breach of the liberties of the subject. The judicial declaration above referred to was made by Lord Langdale in the case of the Attorney-General *v.* the Grocers' Company, reported in the sixth volume of Mr. Beavan's Reports, page 526. The Master of the Rolls says (page 550), speaking of the surplus revenue under Sir Wm. Laxton's devise, "This "revenue, according to the construction which it appears to me ought "to be put on this codicil, belongs as private property to the Company."

The same observation would apply to other estates devised to the Company in terms similar in effect to those used by Sir Wm. Laxton, and still more strongly to estates devised to the Company absolutely without any condition, trust, or charge, or purchased, as in the case of the site of the hall and garden, by free subscription among the members of the fraternity. Even the small proportion of the Company's property which is legally applicable to charitable purposes was only saved from loss and destruction after the Great Fire by the private liberality of individuals. It may fairly be said that the whole property of the Company was at that time redeemed from sequestration and sale by the members of the Court at their own expense, and was thus preserved and handed down for the benefit of the corporate body.

But while the Company respectfully insist upon the private character of the whole, or a large portion of their property, they willingly recognize, as they have ever done, a moral obligation to carry out to the

utmost the intentions of their benefactors, with due regard to the altered requirements of the time, and in a manner worthy of the public spirit and liberality to which the acquisition and preservation of the property are due.

As instances of the mode in which the Company deal with their trusts may be mentioned Sir Wm. Laxton's devise, already referred to, under which, and a subsequent decree of charitable uses, the Company is bound to expend 300*l.* a year out of the revenues of the devised estate on the school and almshouses at Oundle. The actual expenditure is at present 3000*l.* a year, more than three-fourths of the whole income. Large sums have also been laid out on capital account, besides which the Company is now expending 12,000*l.* on new school buildings, and there is a further expenditure of about the same amount in contemplation.

Another case of a similar character is Bacchus' gift for exhibitions at Oxford and Cambridge. The sum charged for this purpose is 40*l.* a year, and the expenditure 550*l* a year, exclusive of the exhibitions given from Oundle School. The income of the estate is about 670*l.* Expenditure under this head will be largely increased if the scheme now under consideration for the establishment of valuable exhibitions or travelling fellowships for the study of analytical chemistry and kindred subjects, and sanitary science, is carried out.

Several of the Company's non-educational charities were redeemed some years ago under the voluntary powers of the "Endowed Schools Act, 1869," and the proceeds applied, under the authority of a Scheme, in the building of a large Middle Class School. The Company have added for this purpose about 9000*l.* from their own funds, and contribute at present over 1000*l.* a year towards the working expenses.

One of the charities thus absorbed was Lady Middleton's gift of 20*l.* a year for necessitous clergymen's widows. The Company, with a desire to respect and carry out the wishes of the founder where this can be usefully done, even though the charity has ceased to exist legally, perpetuate the name and wishes of Lady Middleton by giving between 500*l.* and 600*l.* a year for the purpose she contemplated.

The Company have acted upon similar principles in dealing with their church patronage. For instance, in 1866 and 1869 they applied for and obtained Estate Acts, under the powers of which the living of Allhallows Staining, with a population of 200 and an income of 1600*l.*, has been united to a neighbouring benefice, the sites of the church and curate's house sold, and the proceeds applied in building and endowing two district churches in the poorest parts of the East of London, and a third district church will in due time be added. The Company have aided the work by an expenditure out of their own funds of nearly 7000*l.* on parsonage-houses, parish rooms, organs, &c. They also contribute towards the support of curates and church expenses. Full details of the Company's expenditure for public and charitable objects, including their connection with the London Hospital, will be found in the returns.

The Company was in its origin a social and benevolent fraternity. It was never a trading Company. The original charter of Henry VI., A.D. 1428, incorporated the Company without any reference to trade and without any conditions. This charter has ever since been in force, except from 1683 to 1688, when it was suspended by proceedings under a writ of *Quo warranto* issued by the Crown. The charter was however restored, and the Act of 2 William and Mary, sess. 1. cap. 8, declared the judgment obtained upon the writ and all consequent proceedings to have been illegal and arbitrary. A copy of the original of this charter, together with a translation, will be found at the end of this Preface.

The Company was first legally entrusted with supervision of trade by a patent of Henry VI., A.D. 1447. The power remained in force for about 200 years, and was certainly not exercised after the Great Fire. That event was most calamitous to the Company, and they did not attempt to revive their powers of trade supervision, which had indeed fallen into desuetude and were no longer suited to the circumstances of the time; but the Company was kept together and restored upon the old lines by the exertions and liberality of the leading members, so as "to become, as they once were" (to use the words of a solemn minute of the Court of 1687), "a nursery of charities and a seminary of good "citizens." It is hoped and believed that this character has been faithfully maintained down to the present time.

Declaration from the Mercers' Company which accompanied their returns.

The Mercers' Company, in sending to the Royal Commission the Returns asked for, desire to state, in the most formal manner, that their readiness to assist the Commissioners in their inquiries is due to the respect which they owe, and wish to pay, to the Crown, from which the Commissioners derived their authority, and is not to be taken, now or hereafter, as an admission on the part of the Company that their private affairs may be inquired into, or their private corporate property dealt with, otherwise than in due course of law.

The private property of the Company has been, for the most part, held by them for centuries without adverse claim or question. It was either purchased by the Company (in many instances from the Crown) out of the savings of income, with contributions from members of the Company, or with moneys derived from the sale of other private property, or was bequeathed to them by deceased members, and has been handed down through many generations of Mercers to the existing freemen of the Company, by whom it is held by at least as good a title as the estates of any private landowner in the kingdom, or of any joint stock company or other voluntary association. The Mercers' Company have always been anxious to carry out the numerous and complicated charitable trusts confided to them in past times, and, as will appear from the returns sent herewith, have fostered and increased them in no niggardly spirit. They have also endeavoured to fulfil the duties cast upon them as the owners of large estates.

They have always exercised their right to sell any parts of their private freehold estates, and to deal with them in such manner as they thought proper, without any interference, and they desire to protest in the strongest and most emphatic manner against the supposition that they hold their private property, as distinguished from their estates which are held for charitable purposes, upon any trusts whatsoever. They desire further to record their claim, that if a question should be raised whether a particular property is subject to any trust, or is the private property of the Company, every such question should be determined only by the courts of law of the realm.

The Company believe that they have given in these returns such information as the Commissioners can fairly ask for, and for the reasons given above, among others, they are not prepared to submit any suggestions "for improving or altering the constitution of the Company, or "the appropriation or administration of the property or revenues thereof."

Each and every one of the Companies, in declaring its undoubted and unquestionable rights in regard to what is termed their corporate or private property, asserting boldly, fearlessly, and uncompromisingly that the same is at their own absolute disposal, are of accord with the evidence given by Mr. Joseph Travers Smith, a senior member of the Court and past Prime Warden of the Fishmongers' Company. In reply to Lord Derby, Mr. Travers Smith stated,—

Evidence of Joseph Travers Smith, Member of the Court and Past Prime Warden of the Fishmongers' Company, declaring much of their properties as not subject to any trust, and that its control by the Company is absolute.

"We maintain that our corporate property is at our own absolute disposal, and that it would be the same if it were ten or twenty times or one hundred times as much. At the same time I may add that we quite recognize that there is a moral duty attaching to the administration of that property, though not a legal one."

Could Lord Derby, who put the question eliciting this reply, and which is the reply of the whole body of the City Companies,—could the Duke of Bedford, or any other right-intending honest member of the Commission, return any other answer had a like question been put to them? There is not a lawyer of standing in the whole kingdom who would dispute the right and absolute power of the Companies over these properties, and for society's sake it is to be hoped there are but few of the Firths, Beales, Phillipses, and their conspiring secretary class, who would reply contrariwise.

Lord Derby, in further interrogating Mr. Travers Smith, Past Prime Warden of the Fishmongers' Company, elicited from that gentleman the following clear statement, which in its main features and principles of action applies to most of the Companies:—

"Although we maintain that the property other than the trust property is at our own absolute disposal, I think the position of the matter is a little curious in this respect. The critics of the Company say you are bound to apply the whole of the increment upon the property which you receive for objects similar to those which are the objects of the direct trusts. We say, on the other hand, that it is at our absolute disposal; but while that is so, the Companies (or at least the Company I have the honour to represent) have really been spending on charitable objects and objects of beneficence and public utility very much more than the whole of the increment upon that very property; and not only so, but have been spending very much more than the increment not alone upon that property, but upon the property which we claim to be at our own disposal as corporate property, even including in that corporate property such property as has been derived either from the fees or gifts or benefactions of our own members. In the year 1700 the total net income of the Fishmongers' Company was 2078*l.*; in the year 1750 it was 5797*l.*; in the year 1800 it was 9728*l.*; in the year 1850 it was 17,041*l.*; and in the year 1880 it had increased to 38,500*l.* Now giving a few figures as indicative of the distribution of our funds in the last year that I have mentioned (and that is the last year for which our accounts have been tabulated and made up) the 38,500*l.* in the year 1881 was applied in this way. In charitable and benevolent objects internal to the Company, that is their own members, within a few pounds of 15,000*l.* during the year; by way of increment to one of the charities which has been confided to us (that is St. Peter's Hospital and Alms-houses) 3400*l.*; in external charities (these are votes to various public charities and beneficent institutions) 4000*l.*, making 22,400*l.* applied to charities and benevolent objects out of an income of 38,500*l.* In addition to that we gave in that year 4000*l.* for technical education, and we gave to trade objects 1020*l.* The expenses of the entertainments and hospitalities of the Company were about (not quite, but nearly) 5500*l.*; so that in the year 1881, the income of the Company having been 2078*l.* at the beginning of last century, and we only having received trust property that would pay an income of about 1200*l.* since the beginning of the last century, we have spent, and that is not a greater proportion than has been in accordance with the universal tradition of the

> Company over a long series of years, 22,400*l.* in direct charitable and beneficent objects, besides 4000*l.* on one particular class—educational objects; and over 1000*l.* (between 1000*l.* and 2000*l.*) on trade objects and the prosecution of offenders under the Acts relative to the sale of fish, and assisting trade exhibitions and other matters of that sort. We are applying not only the whole increment of any property that could have been treated as affected by a trust of any sort or kind, but I may say something like ten times the amount for charitable and beneficent objects, and that the proportion that we spend either on hospitality, or entertainment, or in a merely ornamental way is comparatively small."

Mr. James Beale before the Commission. His close connection with Firth and Warr.

In presenting the evidence of Mr. James Beale it is hardly needed to remark that he has figured from first to last throughout this agitation as Mr. Firth's chief lieutenant. What his part was in the "private and confidential" circulars, issued by the conspirators from the office of the Commission, it is not for the writer to surmise. Any man can arrive at a fair conclusion on this point, never doubting but that he and his chief were not lacking in driving a nail wherever hammer-power was needed. Secretary Warr, the disinterested, pure-minded official of the Commission, would doubtless be ever ready at hand with aid in devising little schemes to impart an air of impartiality to the record, and it may not be too much to presume that the patriot Beale himself would not be backward in framing such questions to witnesses as would, according to his view, tell disadvantageously against the Companies. Be all this as it may, we have Mr. Firth's lieutenant before the Commission on the fourth day of its sitting.

Beale as a writer and public agitator. His hunting-grounds and connection as assumed orator for numerous Clubs in Chelsea.

It will be seen that this worthy agitator is, according to his own admission, a sort of political Jack-of-all-trades, a public lecturer wherever an audience could be collected, and an abuser of the Companies in the *Weekly Dispatch* and the *Echo;* head-cook of a charming association known as the Liberation Society, whose purpose is, in their own words, "to devolute the property of the Church;" presiding genius of a host of clubs in Chelsea, having for their main object the looking after the electors in Mr. Firth's happy hunting-grounds. Mr. Beale's labours with these clubs are clearly Herculean. He states in his evidence that he has to look after a club in the King's Road having the euphonious title of the Eleusis Club. His fatherly care is also given to a similar institution in Hammersmith, called the Hammersmith Club, and another at Kensal Town known as the Cobden Club. Here is a nice little array of duties for this factotum of purity! Well may Mr. Firth show keenness as to the balances in hand with the various Companies! Granted "hotch-potch" to be brought about, there is field enough here for the absorption of not a little of anything available. Inquiry made among Mr. Firth's constituency has elicited that amongst the members of these various societies Beale is known as "Gabber Beale," and that the clubs are composed of working men in each locality, or rather of gangs of favoured partners, ready at all times to promote the designs of the chief reformer of men and things.

Lord Derby, with his usual clearness of perception, observed to Mr. Beale, when under examination, "that the resolutions presented to the Commission purported to be from the working-classes of the metropolis." "Now," said his Lordship, "if I rightly understand you, though it may be quite possible that these clubs do represent the general opinion of the working classes, yet, as a *matter of fact, they only represent some few hundreds of persons in their borough.*" Gabber Beale, not a little disconcerted at Lord Derby's telling remark, was further queried thus by the chairman, Lord Derby. "Have you any evidence that the

opinions expressed in those resolutions and suggestions handed to the Commission are those of the working classes generally, or of any large portion of them?" The gabber here came sadly to grief. All he could say was, "I have lectured at all their clubs throughout the Metropolis for years past, and in every case they universally assent to the ideas there expressed." Sir Richard Cross here delicately inquired of the witness whether the clubs referred to were not *all upon one side*, to which he, faltering, gave the assenting yes! Here we have an unique admission as to the value of these pretended voices of the working classes. In Chelsea, at all events, they simply use pretended endorsements of whatever the chief agitators put before them as means of furthering their own purposes.

Mr. James Beale[1] came under examination on the fourth day of the Commissioners' sitting.

The Chairman: I think we need hardly ask you whether you have taken considerable interest in the subject with which this Commission has to deal?

I have.

I believe as a member of the St. James's vestry you moved a resolution some years ago asking for an inquiry into the state of these Companies?

I did.

And was a memorial presented in consequence to the Secretary of State?

It was.

Sir Richard Cross.—Was it sent to me?

Yes, and its receipt was simply acknowledged.

The Chairman.—I believe you also prepared a statement for the delegates appointed by the Metropolitan vestries?

I did, and I hand in a copy of it.

I think you are also the present chairman of the Metropolitan Municipal Association, and a member of the London Municipal Reform League?

Yes.

Will you tell the Commission what is the constitution and the object of those bodies?

Those refer to larger questions than those which are before this Commission. They are for the reform of the local government of the Metropolis by the creation of one municipality on a representative basis.

You have, I believe, under various signatures written largely in the press on the subject of these guilds?

I have.

Beale admits his writings and agitation against the Companies.

What are the signatures under which you have written?

"Nemesis"[2] in the *Weekly Dispatch* and "Father Jean" in the *Echo*.

We may take it, I presume, that you have formed an opinion as to the reforms which you consider desirable, and that you are prepared to suggest some plan for carrying into effect those reforms?

[1] *See* the Grocers', Goldsmiths', Merchant Taylors', and Clothworkers' Memorials or Statements *infra* as to this gentleman's evidence.

[2] A collection of the letters signed "Nemesis" in the *Weekly Dispatch* was placed at the disposal of the Commission by Mr. Firth, and was examined with the authorities in the office of the Commission. The writer appeared to be acquainted with (1) Mr. Firth's work, "Municipal London," (2) with "Herbert on the Companies," and (3) with the Return of the Companies' Charities presented to Parliament on the motion of Lord R. Montagu in 1868, but he had evidently not consulted the reports of the Charity Commissioners, nor the wills of the benefactors of the Companies.

I am.

Mr. Alderman Cotton.—What is the Liberation Society working for?

They first deal with the objects that I have referred to, but they refer, mainly, to that which the Church may claim for Church purposes.

Is it mainly directed against the Church?

I would not say it was directed mainly against the Church, but against the devolution of property to the Church where they think it is rich enough.

The Chairman.—What are these Chelsea Clubs, the combined committee of which passed those resolutions?

They are political clubs formed by working men in the several divisions of the borough of Chelsea. There is one in the King's Road, called the "Eleusis Club;" there is another at Hammersmith, called the "Hammersmith Club;" and another at Kensal Town called the "Cobden Club." Those clubs are composed of a number of working men in each place.

I only put the question to you because I observe in the first paragraph they say that: "It is desirable that the working classes of the Metro-"polis should present to the Commissioners the following suggestions." Now, if I rightly understand you, though it may be quite possible that those clubs do represent the general opinion of the working classes, as a matter of fact they only represent some few hundreds of persons in their borough?

So far as that is concerned, that is so; but they are federated as one club throughout the Metropolis, and a copy of that has been sent to each, and you will, no doubt, receive the same resolutions from each.

Have you any evidence that the opinions expressed in these resolutions are also those of the working classes generally, or of any large portion of them?

I must give a personal answer. I have lectured at all their clubs throughout the Metropolis for years past, and in every case they universally assent to the ideas there expressed. We have never had an amendment upon this question, or upon the London Government question, carried.

Mr. Firth.—Has there not been a federation of all the working men's clubs throughout London?

Yes, there has.

Sir Richard Cross.—As I understand you, these are political clubs?

They are.

Are they all upon one side?

Yes.

Mr. Alderman Cotton.—Are you able to give us the number of members of any one of these clubs?

The "Eleusis" is 1000 strong.

What is the smallest number of any one of the clubs?

The Hammersmith Club has 460 members; that is the smallest, I think. They are composed of the most intelligent working men of the district in all cases.

The Chairman.—In these resolutions it is proposed that on the creation of a municipality for London, the whole of the funds of the guilds should be handed over to that body for the benefit of the people of the Metropolis; is it meant by that that the property should be handed over to the absolute discretion of the new municipal body, or that it should be handed over for certain purposes limited and defined by Parliament?

Of which those persons will form a part.

Your idea is that the funds should, in the first place, be thrown into one mass; that I understand to be your object?

Yes.

That the total capital should be vested in such a municipality, if it exists, or in commissioners, if the municipality does not exist.

MR. PELL.—Would you tell us what constitutes the membership of those clubs which have drawn up the resolutions which you have presented to the Commission?

Certain monthly subscriptions.

The compass of this volume is strictly to expose the machinations of the Companies' enemies and to demonstrate the great moral victory achieved by the Livery Companies in presence of the Commission. Never was a more unprincipled attack made on rights and properties, and never were men designing evil more thoroughly vanquished. It is impossible to believe that any Government, in the face of such exposures as are brought out in course of this Inquiry, would attempt to tamper with the rights and privileges of the Companies, proved as they have been in every case and feature. The public had no idea that such irreproachable dispensations of large incomes was possible, therefore, as a national example, the Commission has been productive of great good. It is not possible, neither is it needed, in this volume to detail the nature of the various Companies' properties, incomes, and expenditures. The following, however, is a condensed tabular view of all.

The dates of incorporation, the Corporate income stated separately from the Trust income, and the members of each Livery are thus stated to the Commission by the respective Companies in their formal returns:—

Particulars as to Incorporation, Liveries' numbers, Corporate income and Trust Income of the various Companies.

The following are known as the GREAT COMPANIES.

Name of Company.	Incorporated.	No. of Livery, 1882.	Corporate income.	Trust income.
Mercers'	*a*1393	97	47,341	35,417
Grocers'	*b*1428	178	37,736	500
Drapers'	*c*1364	237	50,141	28,513
Fishmongers'	*d*1272	452	46,913	3,800
Goldsmiths'	*e*1327	143	43,505	10,792
Skinners'	*f*1327	150	18,977	9,950
Merchant Taylors'	*g*1326	188	31,243	12,068
Haberdashers'	*h*1448	373	9,032	20,000
Salters'	*i*1394	119	18,892	2,148
Ironmongers'	*j*1464	46	9,625	12,822
Vintners'	*k*1363	193	9,365	1,522
Clothworkers'	*l*1528	132	40,458	10,000
		308	£363,228	£147,532

(*a*) This Company existed as a fraternity in the reign of Henry II. In 1192 the Hospital of St. Thomas Acons was founded, and the fraternity of Mercers constituted patrons. Henry and Roger Fitz Alwyn, the two first Mayors of London in 1210 and 1214, were apparently Mercers, although the Drapers claim the former. (*b*) The Grocers were originally called Pepperers, and are first mentioned in 1180. In 1345 the Peppercrs, Canevacers, and Spicers formed themselves into the "Fraternity of St. Anthony." In 1373 they assumed the title of Grocers'. (*c*) The Gilda Parariorum existed in 1180. The earliest ordinances were made in 1322, and in 1405 this Company appointed the Keeper of Blackwell Hall, established in 1397, for the sale of woollen cloth. (*d*) The first charter extant is dated 1364, but the Company maintain that its existence prior to the reign of Henry II. can be established. (*e*) This Company is mentioned in 1180, and in 1300 it is recognized by statute. (*f*) The Skinners' appear at a very early period to have migrated from Dowgate Hill to St. Mary Axe, and thence to St. Mary Spital, returning in the reign of Henry III. to "Copped Hall," the site of their present hall. (*g*) In 1267 a dispute arose between this Company and the Goldsmiths', and in 1299 Edward I. granted a licence to adopt the name of "Taylors' and Linen Armourers'." (*h*) Originally a branch of the Mercers', and

at one time associated with the Feltmakers'. From the City records it appears the first ordinances were made in 1372. (*i*) The fraternity of Brethren and Sisters, which existed at an early period at Allhallows, Bread Street, appears to have been identical with this guild. (*j*) From records of the Company, this mystery was established as a guild 100 years at least before incorporation. (*k*) A Fraternity or Company of the mystery of Vintners, known as the "Wine Tunners of Gascoigne," existed at a very early period. (*l*) The Fullers were incorporated in 1480, and the Sheermen in 1507. These crafts arose out of an association subsidiary to the ancient Guild of Tellarii, or woollen weavers, and in 1528 were united and reincorporated under the name of Clothworkers.

The following are designated the MINOR COMPANIES, though the writer acknowledges them on strictest par with their wealthier brethren.

Name of Company.	Incorporated.	No. of Livery.	Corporate income.	Trust income.
Apothecaries'	*a*1617	50	£3,398	£500
Armourers'	*b*1453	64	8,026	60
Bakers'	1509	187	1,591	320
Barbers'	1461	92	1,120	600
Basketmakers'	*c* —	28	61	—
Blacksmiths'	*d*1325	63	684	—
Bowyers'	*e*1621	29	550	40
Brewers'	*f*1445	49	3,157	15,482
Broderers'	*g*1561	44	no return	70
Butchers'	*h*1606	139	1,389	632
Carpenters'	*i*1477	108	10,378	940
Clockmakers'	1631	51	1,169	127
Coachmakers'	1677	106	1,179	—
Cooks'	1488	69	2,380	180
Coopers'	*j*1501	139	2,420	4,700
Cordwainers'	1439	100	6,154	1,600
Curriers'	*k*1606	93	1,245	50
Cutlers'	1415	89	5,337	50
Distillers'	—	28	No return.	
Dyers'	1471	66	6,000	1,000
Fanmakers'	1709	82	250	—
Farriers'	*l**1356	¶	240	—
Feltmakers'	*m*1604	59	172	190
Fletchers'	*n* —	16	150	—
Founders'	*o*1614	98	1,853	90
Framework Knitters'.	*p*1657	35	180	130
Fruiterers'	1605	87	467	3
Girdlers'	1327	69	2,932	1,374
Glass Sellers'	1664	43	100	90
Glaziers'	1638	39	260	40
Glovers'	—	14	150	—
Gold and Silver Wire Drawers'	1693	37	62	3
Gunmakers'	*q*1637	26	2,565	—
Horners'	*r*1638	7	100	—
Innholders'	*s*1663	59	1,327	220
Joiners'	1570	79	1,312	—
Leathersellers'	*t*1440	117	16,395	2,333
Loriners'	*u*1711	386	1,267	—
Masons'	*v*1677	29	400	—
Musicians'	1472	34	400	—
Needlemakers'	1656	107	255	—
Painters'	*w*1467	115	800	2,300
Pattenmakers'	1682	39	286	14

Name of Company.	Incorporated.	No. of Livery.	Corporate income.	Trust income.
Pewterers'	*x*1473	69	3,610	240
Plaisterers'	1501	48	867	33
Playing-card Makers'..	1628	50	50	—
Plumbers'	*y*1611	40	882	18
Poulterers'	*z*1504	65	620	430
Saddlers'	a1272	84	10,243	1,000
Scriveners'	b1617	31	846	10
Shipwrights'	c1605	171	833	—
Spectacle-makers' ...	1629	356	1,087	45
Stationers'	d1556	260	3,170	1,576
Tallowchandlers'	e1462	101	no return	220
Tinplate Workers' ...	1682	68	do.	37
Turners'	1604	193	718	—
Tylers and Bricklayers'	1568	73	664	170
Upholders'	f1626	33	333	20
Waxchandlers'.....	g1483	27	875	230
Weavers'	1100-35	77	no return	360
Wheelwright	1670	92	319	—
Woolmen.....	h	22	300	—
		5,031	£113,575	£37,528

The returns state eighty-eight, the number on the City register not given.
(*a*) Associated with the Grocers' prior to 1617. (*b*) A recognized guild at the time of Edward II. (*c*) Exists by prescription, and not under Charter. (*d*) United to the Spurriers' in 1571. (*e*) The Charter recites that this was an ancient fraternity in the City. (*f*) The records and accounts of this Company date from 1418. (*g*) This mystery was in existence in 1528. (*h*) Fined in 1180 as an adulterine guild not duly licensed by the king. (*i*) Existed about 1350. (*j*) Existed for a considerable period before incorporation, as shown by the Company's archives. (*k*) Contributed five marks to Edward III. in carrying out wars with France. (*l*) In 1375 this Company elected two members to the Common Council, but in 1384 the old custom of election by the wards was revived. (*l**) Erected into a mystery by the Court of Mayor and Aldermen in 1356. (*m*) Originally united to the Haberdashers' Company. (*n*) No Charter, exists by prescription, livery obtained before Henry VII. (*o*) Existed prior to 1365. (*p*) The sixty-fifth in order of precedence of the City Companies. (*q*) Ordinances of 1670 approved by Lord Keeper, and Chief Justices of Queen's Bench and Common Pleas. (*r*) Classed amongst the forty-eight Companies in reign of Edward III. (*s*) Known as "Hostillars" in reign of Henry VI. (*t*) First mentioned in 1372. (*u*) Ordinances date back to 1245. (*v*) Earliest accounts date from 1620. (*w*) Existed as a fraternity in reign of Edward III. (*x*) Earliest record dated 1348. (*y*) Ordinances dated 1365. (*z*) Existed by prescription in 1345. (a) Supposed to have existed in Anglo-Saxon times. (b) Records extend back to 1374. (c) Existed as a fraternity in 1428. (d) A brotherhood or society of test-writers is believed to have existed a century before incorporation. (e) A Charter is said to have been granted by Henry VI. in 1426. (f) Existed between 1460-65. (g) Mentioned in 1371. (h) Ordinances confirmed by authorities in 1587. No Charter, exists by prescription.

Able character of the Dissent Report. Its increased importance consequent on the Warr conspiracy.

It is too generally overlooked that the conclusions arrived at in the matter of this Commission are of value only as those of a portion only of its members, and these before known as unfriendly to the Companies. One member in particular has for years been a chief instigator of agitation against them, and may be said to have placed himself in the position of public prosecutor in the case. The other members have addressed her Majesty with their Dissent Report, and it is within the mark to state that the same is in every way an abler document than that which Mr. Warr, Secretary of the Commission, drafted. What less could possibly emanate from the Companies' enemy, who as it appears without authority used the names of Lord Derby and his colleagues as parties combining in an

illegal and unwarranted conspiracy against the Companies! The audacious act annuls any effect of the Report itself, which is now with fairness looked upon as little more than a partisan document of Mr. Warr. It is with this new light shed upon the matter, after the Public Record may be said to have been closed and sealed, that the "Dissent" Report justly merits the increased importance attaching to it.

"DISSENT" REPORT.

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

May it please Your Majesty,

We, the undersigned Commissioners appointed by Your Majesty to investigate the affairs of the Livery Companies of the City of London, humbly present to Your Majesty the following Report.

A minority of the Commissioners dissent from the conclusions of the majority.

We regret that, as the result of an inquiry in every stage of which all Your Majesty's Commissioners have cordially co-operated, it should be necessary for us to record our dissent from the conclusions arrived at by our colleagues. We have, however, carefully considered their Report, and we find ourselves unable to agree with it in several important particulars.

Brief statement of the conclusions of the minority.

Under these circumstances we conceive that we shall best discharge our duty to Your Majesty by briefly stating the conclusions which we have ourselves formed with regard to the several heads of Your Majesty's Commission.

Heads of Commission.

These heads relate (1) to the foundation and object of the Livery Companies of the City of London; (2) to the constitution of these Companies, and the privileges enjoyed by those who are members of them; (3) to the salaries paid by the Companies to their officers and servants, and the mode in which these persons are appointed; (4) to the sources of their corporate and trust income, the capital value of their property, their administration of it, and the mode in which the income arising from it is expended; (5) to the question of an alteration in the constitution of the Companies should any three or more of the Commissioners consider an alteration "expedient and necessary."

Foundation and object.

1. As regards the circumstances under which the City Companies were founded, we are of opinion that at the time when Your Majesty was pleased to issue this Commission some misapprehension prevailed. It was supposed that the Companies had till recent times consisted of members of the trades the names of which they bear,[1] that the objects of their foundation had been the organization of these trades, and that

[1] The authority on the subject which has been most often quoted is the Report of the Municipal Commission appointed in 1834. The following account is there given of the companies:—"They were, in their original conformation, not so much "trading societies as trade societies, instituted for the purpose of protecting the consumer or the employer against the incompetency or fraud of the dealer or the "artizan, and equally with the intent of securing a maintenance to the workman "trained to the art, according to the notion of early times, by preventing his being "undersold in a labour market by an unlimited number of competitors. Furthermore, the companies acted as domestic tribunals, adjudicating, or rather arbitrating, "between master and man, and settling disputes; thus diminishing hostile litigation "and promoting amity and goodwill.

"They were also in the nature of benefit societies, from which the workman, in return for the contributions which he had made when in health and vigour to the "common stock of the guild, might be relieved in sickness or when disabled by the "infirmities of age. This character speedily attracted donations for other charitable "purposes from benevolent persons who could not find any better trustees than the "ruling members of these communities; and hence arose the numerous charitable "gifts and foundations now entrusted to their care.

"They also possessed the character of modern clubs. They were institutions in "which members of the same class and their families assembled in social intercourse."

Misconceptions as to the origin of the Companies.

their present condition, which is that of societies having for the most part only a nominal connection with these trades, where such still exist—and many are known to have become obsolete, or to have disappeared from London—is one different from their former condition. The researches of archæologists and the passages in the returns of the Companies relating to their early history[1] seem to point to a different conclusion.

Early guilds.

The companies of London prove to have sprung from a number of guilds, which were associations of neighbours for the purposes of mutual assistance. Such associations were very numerous in the Middle Ages, both in town and country, and they appear to have abounded in London at a very early period. A "frith guild" and a "knighten guild" seem to have existed in London in Anglo-Saxon times,[2] and at the time of the Norman Conquest there were probably many other bodies of a like nature in London. Their main objects were the relief of poverty and the performance of masses for the dead.

Localization of trades in London in early times.

The trades of London appear to have had in early times their recognized quarters in the City, and owing to this localization they formed themselves into guilds, of which the principal objects were those above mentioned.[3] These guilds, however, also undertook the regulation of the trades to which the members belonged. They appointed overseers to inspect the wares produced or sold, and also umpires to adjudicate in cases of disputes between masters and workmen. They generally had halls, at which meetings of the principal members took place for purposes of inspection, arbitration, and the consideration of claims to charitable relief, and at these halls banquets were frequently given.[4] They were purely voluntary associations, and required no licence from the State.

Ordinances of the guilds.

"Ordinances" were framed for the internal regulation of the guilds at the time of their formation by the most influential members. Such ordinances were (1) religious; (2) social and charitable; (3) industrial. Examples of the first class were rules for the attendance of the members at the services of the church, for the promotion of pilgrimages, and for the celebration of masses for the dead; examples of the second, ordinances relating to common meals and the relief of poor brethren and sisters; examples of the third, regulations as to the hours of labour, the processes of manufacture, the wages of workmen, and technical education.

Inns of Court and Chancery similar bodies.

The Inns of Court and Chancery and Sergeants' Inn were probably originally bodies in some respects similar to the guilds, though not corporate bodies.[5]

Charters.

Charters were granted by Edward III. or Richard II. to many of the Companies. Such grants were made for valuable consideration. Succeeding sovereigns renewed the charters down to the time of the accession of the House of Hanover. The sum paid by the Companies to the

[1] *See* the Essay of Dr. Brentano, and the "Original Ordinances of more than 100 Early English Guilds," edited by Mr. Toulmin Smith (Early English Text Society). *See also* the chapters on the Companies in Mr. Loftie's History of London, vol. I. pp. 120—225, and the returns (Part I.) and supplementary papers of the Mercers', Grocers', Goldsmiths', and Clothworkers' Companies.

[2] *See* Loftie's History of London, vol. I. p. 165, and the passages in the first and third volumes of Stubbs' Constitutional History, which have reference to the early guilds of London.

[3] *See* Loftie's History of London, vol. I. pp. 165 *sqq.*

[4] *See* the ordinances in Mr. Toulmin Smith's "Early Guilds," and also the returns (Part I.) of many of the Companies. *See also* Hallam, Middle Ages, I., 349, 350.

[5] The Inns of the Temple were founded respectively in 1340 and 1560, Barnard's

national exchequer in respect of the original and inspeximus charters seems to have been very considerable.[1] Inspeximus charters.

The terms of the charters are in most cases obviously founded on the ordinances. They recognize the guilds as existing, "administered," to quote the words of the Bishop of Chester, "by their own officers, and "administering their own property in the usual way, the aldermen of "the guilds holding the estates when the guilds possessed estates "direct from the King."[2] The hospitals and Inns of Court of London and many provincial guilds received their first charters about the time of the incorporation of the London Companies, and inspeximus charters afterwards in the same way at the commencement of each reign. Effect of charters.

At the time of their incorporation the then existing members formed "byelaws" to control the details of their organization. Byelaws.

On their incorporation the Companies of London, like all incorporated bodies, became amenable to the processes of *scire facias* and *quo warranto*; but there is nothing in their history from the time of their incorporation to the present day to warrant the supposition that they could ever have been legally dissolved. From the time when the State recognized their existence, the only obligation of the governing bodies, which succeeded the "aldermen" or head men, has been to carry out, so far as has been practicable having regard to change of times, the terms of the charters and byelaws, and to apply the trust funds to the purposes for which they were bequeathed. The corporate property of the Companies, as distinguished from that which they hold as trustees for charitable purposes, has always been in the eye of the law their own, just as much as if the Companies were private individuals. Effect of incorporation

A licence in mortmain was contained in most of the charters, and some of the charters of inspeximus contain lists of the lands held by the companies at the time they were granted, and expressly recognize the title of the companies thereto;[3] but licences of mortmain were not of much importance as regards the Companies of the City of London, for by the immemorial custom of the City "free burgage" lands, i.e. lands held, as stated, "direct from the Crown," could be devised to corporations without any limitation as to value. At the time of their incorporation, and for centuries afterwards, land was throughout England the principal kind of property, and it was only natural that, having the advantage of this custom of the City, the Companies should soon become, as they in fact did become, large holders of real property within the walls of London.[4] Custom of London as to mortmain lands.

Their constitution was always aristocratic. The administrators, who are generally named in the first charters, were the principal capitalists and employers of labour, or else distinguished citizens not connected Aristocratic constitution.

Inn in 1445, Clement's Inn in 1478, Clifford's Inn in 1345, Furnival's Inn in 1563, Gray's Inn in 1357, Lincoln's Inn in 1370, Lyon's Inn in 1420, New Inn in 1485, Serjeant's Inn in 1429 and 1656, Staple Inn in 1415, Thavies' Inn in 1519. Thus they were founded at about the same time as the Companies of London. The Lord Chancellor stated, however, in his evidence that he did not consider the Guilds and the Inns of Court in *pari conditione* (page 189).

[1] The Companies also contributed large sums to the national exchequer for the Scotch Wars of Henry VIII.; as a "benevolence" under Mary; for the Spanish War in the time of Elizabeth; and also during the periods of the Rebellion, the Commonwealth, and the Restoration. In some cases these contributions were loans lent on the security of the Crown lands; but the probability is that very little of the money was ever returned.

[2] Stubbs' Constitutional History, vol. I. Account of London.

[3] *See* the charter granted to the Drapers' Company by James I., and that granted by the same King to the Vintners' Company. (Drapers' returns, Vintners' returns.)

[4] *See* the case of Attorney-General *v.* Fishmongers' Company (Preston's Charity) decided by Lord Cottenham in 1834. 2 Beav., 151.

Companies of—
(1.) Merchants,
(2.) Tradesmen,
(3.) Manufacturers.

with commerce or manufactures, and by the terms of the charters these boards had complete control over the associations. Some of these, such as the Mercers' and Grocers' Companies, appears to have consisted, to a great extent, of merchants and wholesale dealers; others, such as the Fishmongers' Company, and the other Companies deriving their names from trades, of shopkeepers and their apprentices; others, such as the Goldsmiths' Company, the Clothworkers' Company, and the other companies deriving their names from "arts and mysteries," of master manufacturers and artisans. But the names of the companies are misleading,

Patrimony.

for the reasons that (1), from time immemorial the privileges of membership of a London Company have been hereditary, one mode of admission having always been by patrimony, which causes the right to the freedom to descend to all the lineal descendants, male and female[1] of every freeman; (2), from time immemorial a system of apprenticeship has entered into the constitution of the Companies, under which members of the Companies, irrespective of whether they were or were not members of the trades, the names of which were borne by the Companies, were privileged to receive apprentices. These reasons have caused the Companies to consist largely of non-craftsmen from the earliest times, and the proportion of non-craftsmen seems always to have been particularly large among the administrators or governing bodies.[2]

Powers of search.

Monopolies.

The charters, particularly the later ones, generally extend the area of the trade control assumed by the Companies in their original state as guilds. Under some the Companies acquire power to prevent persons from carrying on their callings without belonging to a Company, and powers of searching for and destroying defective wares within a radius of several miles from St. Paul's. It is needless to say that monopolies and powers of search of this description are contrary to law, and that the Companies never really received from the Crown either of these privileges. From the time of their incorporation, however, down to a period which is difficult exactly to fix, they exercised them within the City and its liberties; never, probably in the more extended area over which by virtue of some of the more recent charters they acquired a nominal control.[3]

Cessation of connection with trades at the end of the 16th century.

Their decay as trade organizations had certainly commenced at the outset of the sixteenth century; and probably by the end of it they had practically ceased to be of any use for industrial purposes.[4]

Cessation at about the same period of connection with religion.

The period of the cessor of the connection of the Companies with the trade and manufactures of London is approximately that of the Reformation, and as Catholicism was of the essence of their religious rules, at the time when they ceased to have any control over the trades and industries from which they took their names, they also ceased to be in any real sense religious fraternities. Thus, of their three original

[1] The admission of women still continues in some companies, e.g. in the Cloth workers' Company.

[2] *See* the statement made by the Clothworkers' Company (Clothworkers' return), that of the five persons named as master and wardens in the Company's Charter of 1560, only one was a clothworker; and that in still earlier times the governing body contained scarcely any clothworkers. *See also* the statement of the Drapers' Company (Drapers' return), that in 1415 the Company was not confined to drapers; and that of the Skinners' Company (Skinners' return), that in 1445 there was only one skinner by trade a member.

[3] The expenses of the searches appear to have been defrayed principally out of the fines imposed upon convicted tradesmen and manufacturers. There is no evidence that the Companies ever acquired any property clothed with any trust for the promotion of trade or manufactures.

[4] *See* the *Liber Horn*, edited by Mr. Riley; the "Remembrancia" of the Corporation of London; and the opening passage of Mr. Froude's English History, vol. I. p. 50.

functions, two, those of common worship and association for commercial purposes, became obsolete about four centuries ago. Their remaining function, that of hospitality and charity, has since this period been the only one which it has been possible for them to discharge. It appears[1] to us to be important to insist on this side of the case. We think that one of the results of this Commission has been to prove very clearly that for the last 400 years the Companies of London have been mainly what they are at the present day, viz., associations identified in name with trade and manufactures; but whose real objects have been rather hospitality and benevolence. They have certainly received charter after charter from Your Majesty's Royal predecessors at periods when such associations could not possibly have been called into existence for any other purposes.

Corporate and trust estate.

The Companies are, at the present day, possessed of a large corporate and trust estate, the principal element in which is a considerable amount of land let on building leases in the City of London. With respect to that portion of it which is corporate property, the Companies have in their returns, while giving full information as to the situation and rental of the property, protested[2] against this part of the inquiry as illegal. It is obvious that the Companies are perfectly justified in making this protest, for their corporate property is as much their own, and with as full a right of disposition in the eye of the law, as that of any private individual, and the Crown has no more right to inquire into the mode in which it was acquired, and the way in which the income arising from it is spent, than it has to make similar inquiries with respect to the estate or income of a landed gentleman or merchant.

Protest of the Companies.

Evidence in the returns and the Reports of H.M. Inspectors of Charities.

The returns, however, of the Companies, the Reports of the Charity Commissions appointed between 1818 and 1837, the Reports of Your Majesty's present Inspectors of Charities, and the proceedings which have taken place in Chancery in respect of the informations filed by Attorney-Generals against the Companies contain jointly a considerable store of information on the subject of the nature and origin of the corporate estate of the London Companies. Of such information the following is a summary:—

Sites of halls probably purchased.

1. There can be little doubt that some of the first property acquired by the Companies must have consisted of the sites of their original halls. The land was probably bought and the halls built out of contributions made for the purpose by existing members. The sites of some (not by any means of all)[3] of their original almshouses were probably similarly acquired.

Custom of City with respect to free burgage lands.

2. There is a strong probability that a large amount of the corporate savings of the different Companies, i.e. monies arising from fees and fines as hereinafter explained, was in the earliest times invested in the purchase of building land in the City. Such purchases would of course have been impossible, apart from the custom of the City, which dispensed with the necessity of a licence in mortmain in the case of land held in

[1] *See* the return of the Grocers' Company (Part I., Return F.) in which is included a minute of the court, dated August 18, 1687, containing no allusion to trade, but a resolution to make the Company "*what it once was (in allusion to serious losses recently sustained), a nursery of charities and seminary of good citizens.*" It is significant also that Mr. Herbert's History of the Companies of London, which is perhaps the standard work of authority on the subject, ends at the Restoration, and contains —though it is the result of much research into the archives of the guilds—very few allusions to their connection with their trades. *See also* Waltham and Austin's case (8 Coke 125*a*) and Davenant and Hurdis (11 Coke 86*a*), from which it is obvious that as early as the sixteenth century their trade privileges could be successfully disputed in courts of law.

[2] *See* the returns of the Companies.

[3] Many were founded by benefactors.

Investment in land of corporate savings.

free burgage. The amount of land, in respect of which the Companies have obtained licences in mortmain, seems to be comparatively small. On the contrary, the amount purchased under the custom outside the licences seems to have been large, and we think it probable that much of this was paid for out of the accumulations of the contributions of then existing members, or members very recently deceased, to the common purse.[1]

Fire of London.

The then existing members, who rebuilt the halls and house property, the second founders of the Companies.

3. The Fire of London for a time ruined the City Companies. Their halls, almshouses, and schools, and almost all their house property in the City was destroyed. At this time the charities of which the Companies were trustees, were not nearly so numerous as at present; but they were still even then both numerous and opulent, and the income which supported them consisted almost entirely of rents and rent-charges. Fire insurance was unknown at the time, and the expense of repairing the ravages of the fire was borne solely by the Companies, without State or municipal aid. There is no doubt that the then existing members made large contributions out of their private means for this purpose. The principal persons connected with the Companies were determined that their schools and almshouses should not be closed, and to prevent this they subscribed a very large sum. These persons may be regarded as the second founders of the Companies, which must have become extinct, along with all their great charities, without their assistance. The present income, both corporate and trust, of the Companies, is really the interest of the capital which was thus invested. At the time when the house property of the Companies was rebuilt they had long ceased to have any connection with the trades which they originally, to some extent, represented, and were precisely what they are now—private associations having for their main objects charity and hospitality. The Companies did not recover from the effects of the fire, to which must be added the impoverished condition produced by State exactions, till the middle of the last or even the commencement of the present century.[2]

Lands in London acquired by purchase from the Crown.

4. The lands of the City Companies, or rather the rent-charges issuing thereout, which were confiscated by the State at the time of the Reformation as being held to superstitious uses, were purchased back from the Crown in the time of Edward VI. The purchase-money was probably to a great extent subscribed by then existing members out of their own pockets. In any case it is clear law that all such property is the absolute property of the purchasers, with as unlimited a power of disposition as if it belonged to private individuals.[3] A very large amount of the City house property of the Companies was thus acquired.

[1] *See* the returns of the Companies, the Reports of the first Charity Commissioners, and the Reports of Her Majesty's present Inspectors of Charities.

[2] *See* particularly the information given by the Mercers' and Grocers' Companies with respect to their poverty during the period above mentioned. *See also* Mr. Hare's account of the Mercers' Company's Charities, and the preface to Mr. Herbert's work.

[3] This has been repeatedly held in Chancery. *See* Lord Cottenham's judgment in Attorney-General *v.* Fishmongers' Company (Preston's Charity), 2 Beav. 151. *See also* the returns of the Goldsmiths' Company, (Part V.), in which the court say, "It "will be seen that a great, if not the largest, part of the property held by the Gold- "smiths' Company (i.e. the portions of their estate which had been confiscated as "held to superstitious uses) was acquired *by purchase from the Crown*. It is held by "as good a title as any property in the kingdom, and it appears to us—and if pro- "perly considered would, we believe, appear to law-makers as well as to lawyers— "that if Parliament were to dispossess us of any portion of our property, or to interfere with the appropriation of its revenues without compensation, a principle of law would be attacked, by the violation of which the property of every landowner in the kingdom would be rendered insecure."

Ulster estate acquired by purchase from the Crown.

5. The Ulster estate of the City Companies was also acquired by purchase from the Crown, in the reign of James I. The money with which it was bought consisted of the subscriptions of existing members. At the time of the purchase there can be no doubt that the Companies were constituted precisely as they are at present, and there is no pretence for suggesting that the land was conveyed subject to any express or implied trust, or that it passed to the Companies otherwise than as their absolute property with as unlimited power of disposition as if it had been conveyed to private individuals.[1]

Proceedings in Chancery.

Companies generally successful.

6. After the Reports of the Charity Commissions, which sat between 1818 and 1837, a number of informations were filed by the Attorney-General against the Companies, mainly, it would appear, at the instance of the parochial authorities of the City, who laid claim to the increment of certain rents as being charitable income available for the relief of the poor. The result of the litigation was that the Companies succeeded in almost every case in demonstrating their clear legal right to deal with the increment as in every respect their own.[2]

Recent cases.

Donkin's and Kendall's charities.

Since Your Majesty's present Inspectors of Charities have reported there have been two cases in Chancery which have attracted some attention —the Merchant Taylors' Company *v.* the Attorney-General (Donkin's Charity),[3] and the Attorney-General *v.* the Wax Chandlers' Company (Kendall's Charity).[4] In the former case the Merchant Taylors' Company were plaintiffs. On Mr. Hare, one of Your Majesty's Inspectors of Charities, mentioning to the court of the Company that he had some doubt as to the increment of the rents left under the will being corporate income, the Company at once took the best available legal opinion, and finding that counsel agreed with Mr. Hare, they instituted a suit claiming a declaration that the whole rent of Donkin's estate was trust as opposed to corporate income and subject to the specific payments mentioned in Donkin's will. This claim was granted in the Court of First Instance by Lord Romilly, then Master of the Rolls, and in the Court of Appeal this ruling was affirmed, the Lord Chancellor, however, Lord Hatherley, describing the case "as one of very great nicety," in which he arrived at a conclusion "with considerable hesitation."[5] The information against the Wax Chandler's Company was not, it is true, a friendly suit, but the case was one of extreme difficulty, and the decision of the House of Lords declaring the increment to belong to the charity as opposed to the Company has been much canvassed.

Results of litigation.

We think it clearly appears from the history of this litigation, which commenced in 1837, and has only just ended, (1) that the courts of the Companies, as might be expected from bodies of honourable men, have had their titles carefully investigated in all doubtful cases; (2) that it is certain that the law officers of the Crown would at the present time direct few, if any, proceedings in Chancery, if they were granted inspection of all the title deeds of the Companies.

Favourable reports of (1) First Charity Commissioners, (2) present Inspectors of Charities.

We desire to add: (1) that the reports of the First Charity Commissioners are very favourable to the Companies. The points made use of at their suggestion in the informations were of an abstruse and technical kind, arising on the construction of obscurely expressed wills, and the Commissioners never imputed to the Companies anything worse than an erroneous interpretation of difficult language. They speak also in the highest terms of the liberality of the Companies as regards their charities:

[1] *See* the supplemental statements of the Fishmongers', Ironmongers', and Clothworkers' Companies.

[2] *See* the returns of the Companies and Mr. Hare's reports.

[3] L.R. 11 Eq. 35, 6 Ch. 512.

[4] L.R. 6 App. C. 1.

[5] *See* Memorandum of Merchant Taylors' Company.

Moral as well as legal claim to complete control of corporate property.

(2) that the Reports of Your Majesty's present Inspectors of Charities are perhaps even more favourable, and show that the courts were between the years 1860 and 1865, as the returns show that they are at the present time, excellent bodies of trustees, who spend far more than they are bound to spend on the charities which they administer.[1]

We have thought it right to lay the above facts before Your Majesty and before the public, because the position of the Companies of the City has been in our opinion greatly misunderstood, and because we conceive that the result of this inquiry has been to establish a moral no less than a clear legal right on the part of the bodies which have been the subject of it to be allowed to retain the complete control of their corporate or private property.

Some misconception also appears to us to prevail as to the attitude assumed by the Companies towards the Municipal Commission appointed by Your Majesty's Royal predecessor King William IV. in 1834. Many of the Companies gave the Commissioners a full account of their charters, byelaws, and general constitution, but declined to answer questions put by the Commissioners relating to their corporate, i.e., as we have explained, their private property. Such questions were clearly *ultra vires* for the reasons above given,[2] and the refusal of the Companies was perfectly justifiable. Some of the Companies refused altogether to answer the questions of the Commissioners, and they were, in our opinion, justified in so doing, as there was no pretence for regarding them as within the purview of a "Municipal Commission," for the reason that these bodies are not at law "municipal corporations," nor in any sense an integral part of the municipality of the City of London.[3]

Constitution of the Companies well ascertained at the time when the Commission was issued.

2. The second part of your Majesty's Commission relates to the constitution of the Companies of the City and the privileges enjoyed by the members. The organization of the Companies is really a matter of public knowledge. Their charters and byelaws were carefully examined by the Municipal Commissioners appointed in 1834, and are set out at length in the valuable appendix to that Report, from which it is obvious that the courts or governing bodies have always striven to abide by the spirit and even the letter, wherever it is possible, of these instruments. Of course they contain much that is archaic and impossible nowadays to carry out. The same careful observance of their charters and byelaws, in so far as they affect the Companies as associations for the promotion of charity and hospitality, is visible in those parts of the returns received by us which are addressed to this subject.

Observance of charters and byelaws.

Privileges of freemen and liverymen.

As to privileges, the Companies consist partly of mere freemen, who are as a rule artisans, partly of liverymen, who are members for the most part of the middle class, and who pay a considerable fee to the common purse on "taking out their livery."

[1] Mr. Hare says (Report on Grocers' Company's Charities): 'There can be no doubt that in the case of these ancient, wealthy, and liberal bodies the funds are practically secure."

[2] *See* supra, p. 4.

[3] Amongst others Sir W. Follett, Sir J. Scarlett (afterwards Lord Abinger), and Sir F. Pollock (afterwards Chief Baron Pollock), so advised. The following is an extract from the opinion written by Sir F. Pollock on a case submitted to him by the Grocers' Company :—"I am of opinion that the authority purporting to be given (to "the Commission) of calling for all charters and papers is not legal; nor am I aware "that the Crown can confer upon the Commissioners any means of compelling the "attendance of witnesses or the production of papers. I think the Grocers' Com-"pany is not a municipal corporation—it has nothing to do directly with the govern-"ment or protection of any city, town, or place,—and I think the influence of its "proceedings upon the election of either the magistrates or the members of the City "of London does not make it a municipal corporation."—*See* Supplemental Return of Grocers' Company.

It is certain that there are 10,000, and there may very possibly be 15,000 freemen, members of the working classes, who mostly pursue their callings in London. The only privilege which they enjoy is a claim to charitable relief in case they or their widows or orphan daughters fall into poverty or other undeserved misfortune. The relief of poor members, their widows and orphans, was undoubtedly one of the chief objects of the foundation of the Companies, and it is regarded by all the courts as a principal duty. Not only the trust incomes, but also the private incomes of the Companies are available for this purpose, with the result that many poor members are thereby prevented from becoming a charge on the parochial rates.

Misfortune is not confined to the artisan class, and liverymen, of whom there are 7000, their widows and orphans, are as much entitled as freemen or freewomen to relief out of the Companies' funds; but it is a rule in, as we believe, all the Companies that a liveryman must always give up his livery, his fine being returned to him, at the time when his petition is sent in.

Almshouses. Pensions.

The relief consists in admission to the almshouses or in pensions, those paid to destitute liverymen or their relations being of greater value than those paid to freemen and freewomen.

Great pains appear to be taken by the Companies to prevent imposition, and we believe that their internal charity relieves in a delicate manner much undeserved misfortune.[1]

Courts.

A place upon the court of one of the more prominent Companies is a position of some dignity and influence, but it is not reached till after many years of membership, nor without considerable expense in the payment of fees; (1) on entrance; (2) on "call" to the livery; and (3) on promotion to the court and to office, which is always taken by a new member of a court.[2] Members of the courts are the hosts, and have a place at all the entertainments of the Companies; but the sum spent on the entertainments to which a liveryman of one of the opulent Companies is invited often represents little more than the interest of his livery fine; while there are many Companies which have absolutely no corporate income, except such as arises from the accumulations of the contributions of past and present members. We think it probable that of the 7000 liverymen, about half receive nothing in any way from inherited funds, though their contributions in fines and fees amount to a very considerable sum.

Numbers of liverymen receive nothing from inherited funds.

Modes of admission.

The three modes of admission—patrimony, apprenticeship, and redemption—are of great antiquity, and are essential features in the constitution of the Companies of the City of London. The Reports of your Majesty's Inspectors of Charities make it impossible to doubt that the courts, which consist of persons who have entered the Companies by these means, are admirable boards of trustees, and this circumstance, coupled with the entire satisfaction with the proceedings of the courts which the liverymen at large show, appears to prove that this constitution works well in practice.

Officers and servants. Paid out of private income.

3. The third part of your Majesty's Commission relates to the salaries of the officers and servants of the Companies of London, and the mode in which such persons are appointed. The returns show that the stipends and salaries of the Companies' officers are paid almost wholly out of the private income of the Companies.[3] This circumstance would, in our

[1] *See* the evidence of Sir Frederick Bramwell, F.R.S., one of the representatives of the Goldsmiths' Company.

[2] These fees sometimes amount to 200*l*., or even 300*l*. *See* the returns.

[3] There are many small sums payable under the wills of benefactors to the

opinion, justify us in passing the matter over. But, as our colleagues have not adopted this course, we think it right to state that the few really highly-paid officials who are in the employment of the Companies hold positions of importance, and are professional men of ability, who could easily have found equally remunerative occupations. With respect to "court fees," i.e. the payments which are made to members of the governing bodies of the Companies for their attendance at the meetings which are held for business purposes, these too [1] are taken almost entirely out of the private income of the Companies. In several of the companies no fees are paid, in many fees only of a nominal amount, and in the cases in which fees of more than a nominal amount are paid there is usually a considerable amount of important business transacted at the meetings.

Court fees.

Corporate and trust income.

4. The fourth part of your Majesty's Commission relates to the sources of the corporate and trust income of the Companies, the capital value of their property, their administration of it, and the mode in which the income arising from it is expended.

Origin of corporate estate.

All private property.

As to the origin of the corporate or private estate of the Companies, we beg to refer to the previous part of this Report. The corporate estate consists of (1) the Companies' halls and a large amount of house property in the City of London purchased by the companies with their own private funds in the market in the ordinary way; (2) a large amount of house property in the City of London purchased as private property from the Crown; (3) rents of houses or ground rents in the City of London on which there are in some cases fixed or proportionate charges for the support of charities, such rents being clearly as a matter of law their private property; (4) an estate in Ulster purchased as private property from the Crown; (5) a considerable sum invested in the funds and other securities representing, (1) the price of lands, the private property of the Companies, which have been sold for the purposes of public improvements, (2) accumulations of fees paid to the common purse by present or past members; (6) a considerable amount of plate, almost all presented by past or present members. This corporate estate is, in our opinion, clearly in the strictest sense of the term the private property of the Companies, as they have themselves stated in their returns, and we are glad to say that our views have received confirmation from a legal authority of the highest rank, the present Lord Chancellor, who did us the honour to come before us as a member of a deputation representing the City and Guilds of London Technical Institute.[2]

Evidence of the Lord Chancellor.

Letter from Mercers' Company with respect to private expenditure.

With respect to the way in which the income arising from this private property is expended, we cannot do better than quote the following passage from a letter addressed to us by the Mercers' Company, the first of the "great" Companies of London in order of civic precedence. "As "regards the mode in which the Company's income is expended, the Com- "pany trust that the same sense of the duties attaching to the possession

officers and servants for the performance of duties connected with the administration of the charities. The total amount of these sums is, however, insignificant, compared with the payments made to the staff out of the private income of the Companies.

[1] Apart from some small legacies for the superintendence of certain charities.

[2] *See* the evidence of the Lord Chancellor (Lord Selbourne). "I rather *decline*," says his Lordship, "*to contemplate anything which may be done in the "way of redistribution of the Companies' own* (*i.e.* their private or corporate) "*funds.*" "The City Companies, assuming them to be (as I believe them to be in "law) *absolute and perfect masters of their own* (*i.e.* their private or corporate) *pro-* "*perty . . .*" "the funds which I call *their own property were derived from their* "*own subscriptions* and *gifts* from their own members and others, and were *intended* "*to be for their absolute use.*"

"of property which has hitherto guided them in the administration "of their own will continue to do so; and they venture to think that "in this respect they have no reason to fear a comparison with the most "liberal among the wealthy nobility and gentry of the realm. But, con- "sidering this point to be one affecting themselves only, they decline to "notice either the censure or the commendation which may have been "expressed by others in reference to it."[1]

Private expenditure on public and benevolent objects.

These remarks appear to be very just; but we cannot but think that the returns of the Companies, with respect to their private expenditure on public and benevolent objects, will, when laid before the public, be found to merit commendation rather than censure. There prove to be several companies which devote half their private income to such objects, and the proportion of the private incomes of most of the Companies which is thus spent is very considerable.

Judicious selection of such objects.

Moreover, we consider that in the selection of the public and benevolent objects which they support, the Companies show remarkable judgment. Their first thought appears to be of the charities which they administer as trustees, and which in the seventeenth century they saved from destruction. Many of these are at present in debt to them to a large extent, and have been converted from poor into comparatively rich foundations.[2]

Support of Companies charities.

Support of education and of the charities of London.

They also largely support education in all its branches. They have founded several schools, and have recently formed the above-mentioned City and Guilds of London Technical Institute, which has for its object the promotion of that most important object, technical education, in London and the provinces. They also, as is well known, contribute largely to the charities of London.

Trust estate.

As to the trust estate of the Companies, it supports upwards of 1000 charities, and your Majesty's Inspectors appear to be of opinion that no charities in England are better administered.[3]

The Companies have only recently become rich.

As regards both these estates, not only did the financial difficulties above alluded to continue up to a comparatively recent date, but the income of the Companies probably did not become considerable till about fifty years ago, when a large number of building leases in the City fell in, and it became possible for the guilds to raise the ground rents of their City property so as to participate in its increased value.

Their Irish estate has only recently become remunerative.

The Irish estate of the Companies, in the purchase of which they sank in the reign of James II. an amount of their private capital which for the time was extremely large, did not become really remunerative till an even later period.

Admirable conduct of the Companies with reference to their Irish estate.

Nothing can be more admirable than the conduct of the London Companies with respect to these Ulster lands.[4] They found them a desert, and by their care and munificence they have made them one of the most

[1] *See* appendix to return of Mercers' Company.

[2] *See* the Reports of H.M. Inspectors of Charities.

[3] *See* the Reports of H.M. Inspectors of Charities *passim*.

[4] The supplementary "Statement" of the Ironmongers' Company cites (1) a Petition to Parliament, dated 1641, in which it is set forth that at that date 150,000*l*. had been expended by the Irish Society in the "plantation" of the Colony; (2) a grant to the Company of the manor of Lizard by Charles II., in 1663, in which it is recited that the king takes into consideration "the *vast sums of* "*money* the society, i.e. the Irish Society, and the several Companies of London had "laid out and disbursed in their building and planting." It appears also from this statement that not only the corporations, but the individuals composing them, contributed money for these purposes. "In 1630 Paul Canning, who was then a member of the Ironmongers' Company, and their agent in Ireland, sold his estate in England for 2000*l*., and spent it in planting and stocking the Company's estate, and also at his own charge built a church."

prosperous parts of the United Kingdom.[1] Indeed, they may be said to have founded at their own expense the loyal province of Ulster, a service to the Crown perhaps without a parallel, except the service rendered by the Honourable East India Company.[2]

Increase of amount of corporate property devoted to public objects.

In times past, when their incomes were small, the chief Companies always devoted a substantial portion of them to public objects, and their expenditure upon such objects appears to have grown in proportion to the growth of their revenues. Thus in 1822, the Goldsmiths' Company, whose income was not then large, founded six exhibitions of 20*l.* a year, three tenable at Oxford, three at Cambridge. The Company has since then gradually increased the number and value of its exhibitions, till at the present time it has seventy-five exhibitions, each of the value of 50*l.* a year, tenable at the two Universities. We believe that, if the matter were inquired into, many examples of the same steady increase in their annual contributions to public objects would be found in the recent history of the London Companies. The Fishmongers, Grocers, Ironmongers, Clothworkers, and several of the minor Companies have similarly increased their exhibitions, or have founded exhibitions out of their private means. Indeed, the Companies largely subsidize in this respect the Universities of Oxford and Cambridge, and also University and King's College, London, two bodies which appeared before us by deputations.

Universities.

Schools.

They also support, to a considerable extent, out of their private income between thirty and forty schools, some classical schools, e.g. St. Paul's,[3] Merchant Taylors' Schools,[4] Tunbridge School,[5] Aldenham

(1) *See* the supplementary "Statement" of the Fishmongers' Company "The Company's books show that from the year 1820, when the estate fell into the Company's hands, down to the year 1881, the Company have expended large sums in road-making, irrigation, the construction of river and canal banks, the supply of building and other materials, labour, grants and allowances to tenants, planting, the building of cottages, mills, and dispensaries, the maintenance and support of seven schools, wherein excellent practical education is given to more than 500 children of the tenantry and labourers on the estate, towards the erection and maintenance of places of worship, Episcopalian, Presbyterian, and Roman Catholic, in grants towards the support of their ministers, and in casual relief and pensions. The following is an approximate statement of the amounts expended under the several heads since 1820 :—

		£
For roads, irrigation, river, and canal banks	about	28,558
„ building materials supplied, labour thereon, grants, and allowances to tenants	„	26,443
„ cottages, dispensaries, mills, reclamations, town parks, farming societies	„	33,722
„ trees, woods, and plantations	„	20,632
„ schools	„	33,528
„ places of religious worship and donations to ministers .	„	21,292
„ relief, pensions, and donations to the sick, aged, and destitute on the Company's estate	„	24,849
		£189,024

(2) At present, according to the evidence taken by the Bessborough Commission, the rents of the Companies' Irish lands are strictly fair. An able account of the estates recently published in the *Times* newspaper is most favourable to the Companies. The "Commissioner" of the paper states: "The Companies are devoting themselves to "judicious improvements" . . . . "Taking the period since 1831, when the Mercers "took over their estates, they have spent upon them considerably more than half the "income. This is a great deal more than is done or can generally be afforded by "private owners." . . . . "Since 1853 the Salters' Company has expended in improvements 34,776*l.*, donations to schools, &c., 22,083*l.*" . . . . "Since coming "into possession the Skinners' Company has laid out annually in improvements "4730*l.*, donations to schools, &c., 1000*l.*" . . . . "Ballykelly has been made by "the Fishmongers' Company a model village, which might contrast favourably with "any in England."

(3) Mercers' Company. (4) Merchant Taylors' Company. (5) Skinners' Company.

School,[1] and Great Crosby School;[2] others, middle class schools, such as those admirable institutions, Bancroft's Hospital,[3] the Aske Schools,[4] and the Grocers' Middle Class School at Hackney Downs. These schools are distributed over fourteen or fifteen counties, and not less than 12,000 scholars are educated at them. Mr. Matthew Arnold, who has had much experience as one of your Majesty's Inspectors of Schools, and who has interested himself greatly in the promotion of "middle class" education, has stated to us his opinion that the Companies of London have done much useful service in this respect. We have also received a favourable account of these schools from the Secretary of the Cambridge Local Examination Board.[5]

Middle-class education.

On Merchant Taylors' School, a school without endowment, the Merchant Taylors' Company proves to have expended in recent years, out of its private income, a sum of no less than 140,000*l.*

Merchant Taylors' School.

To the support given by the Companies of London to Technical Education we have already alluded; and to the City and Guilds of London Technical Institute, a body which sent a deputation before us, consisting of the Lord Chancellor (Lord Selborne), Sir F. Bramwell, F.R.S., and the late Mr. Spottiswoode, then President of the Royal Society, accompanied by the three secretaries, Mr. Watney,[6] Mr. Sawyer,[7] and Mr. Owen Roberts,[8] gentlemen who have done much to promote the objects of the undertaking.

Technical Education.

This body was founded in 1878 by a committee sitting at Mercers' Hall, and composed of Lord Selborne, Sir F. Bramwell, F.R.S., Sir Sydney Waterlow, and other members of the principal Companies, together with representatives of the City of London. In the autumn of this year the committee communicated with and received reports on the subject of technical education from six gentlemen of great scientific or practical knowledge of the question, viz. Sir William Armstrong, F.R.S., Mr. G. T. C. Bartley, Lieut.-Colonel Donnelly, Captain Douglas Galton, F.R.S., Professor Huxley, F.R.S., and Mr. H. Trueman Wood.

Committee of Companies on technical education, 1878.

Reports to committee.

All the reports agreed in suggesting the establishment in London of a Central Institution or Technical University for training technical teachers and providing instruction for advanced students in applied art and science. The reports also for the most part recommended the establishment of elementary schools of science and art in London and the chief towns, and the encouragement of technical study by means of laboratories, scholarships, and courses of lectures.

Suggestions. (1) Central Institute. (2) Local Schools.

Professor Huxley's report stated that "a complete system of technical "education should be directed towards the following objects, viz.:—

"1. The diffusion, among artisans and others occupied in trades and "manufactures, of sound instruction in those kinds of theoretical and "practical knowledge which bear upon the different branches of industry, "whether manufactures or arts.

"2. Adequate provision for the training and supply of teachers qualified to give such instruction; and for the establishment of schools or "isolated classes, to which the industrial population may have ready "access; and, further, for a proper system of examinations whereby the "work done in the schools and classes may be tested.

Professor Huxley's "Complete system of technical education."

[1] Brewers' Company.
[2] Merchant Taylors' Company.
[3] Drapers' Company.
[4] Haberdashers' Company.
[5] The Rev. G. F. Browne, who reports that "they are considered as good as any "schools of the kind, and that one of them (Bancroft's Hospital), which he has "himself several times examined, is exceptionally good."
[6] Clerk to the Mercers' Company.
[7] Clerk to the Drapers' Company.
[8] Clerk to the Clothworkers' Company.

"3. The organization of arrangements for effecting the apprenticeship "of scholars of merit in the branches of industry for which they show "aptitude; for enabling such scholars to continue their studies beyond the "ordinary school age, by means of exhibitions; and for opening to the "rest of them a career as teachers or as original workers in applied "science."[1]

1878. Vote by certain Companies of 12,000*l.* a year out of their private incomes to technical education and formation of "City and Guilds of London Technical Institute."

In the autumn of 1878, the Mercers', Drapers', Fishmongers', Goldsmiths', Salters'. Ironmongers', Clothworkers', Armourers', Cordwainers', Coopers', Plasterers', and Needlemakers' Companies agreed to provide about 12,000*l.* a year out of their private funds for these purposes, and "the City and Guilds of London Institute, for the advancement of "technical education," was provisionally constituted with the following objects, viz. (1) the foundation of a central institute in London for technical education, (2) the establishment of, or assistance to, trade schools in London and the provinces, (3) technological examinations, (4) grants in aid of existing institutions having for their object technical education.

1879. Cowper Street Schools.

Examinations.

King's College. University College.

In the year 1879 the institute was incorporated. In this year the Council commenced negotiations for the purchase of a site for the Central Institute, established (1) technical classes in connection with the Middle Class Schools, Cowper Street, Finsbury, (2) a department of applied fine art at the Lambeth School of Art, and took over[2] the examinations in technological subjects which had hitherto been carried on by the Society of Arts. It also subscribed to several existing institutions, such as the British Horological Institute, Clerkenwell; the London School of Wood Carving; the Mining Association of Devon and Cornwall; the Nottingham Trade and Science Schools; the Artisans' Institute, St. Martin's Lane; the Birkbeck Institute Building Fund; and the Lancashire and Cheshire Union of Mechanics' Institutes' Technical Education Fund; and added to the stipends of the professors of mechanical and chemical technology at University College, London, and founded a professorship of applied Art and a professorship of Metallurgy at King's College, London.

1880. Subscription for Central Institute.

During the year 1880 the Corporation continued its negotiations for a site in South Kensington for the Central Institute, and obtained an estimate of the cost of a building suited, as regards class-rooms, workshops, and laboratories, to the technical teaching of (1) chemistry, (2) physics, (3) mechanics, (4) art. The estimated cost of such a building was 76,000*l.* A building fund was formed, and four Companies, the Fishmongers', Goldsmiths', Clothworkers', and Cordwainers' Companies,

[1] Mr. Huxley adds: "Those who are acquainted with the systems of technical "education which have been developed in Belgium, Germany, Switzerland, Austria, "and other continental countries during the last fifty years, and which are at pre-"sent carried out on a very large scale, with the aid of State or municipal funds, in "all those countries, will perceive that the project which I have submitted to the "Committee aims at the organization in this country of a scheme of technical edu-"cation essentially similar in principle to that carried out in the 'Gewerbe Schulen,' "but more especially the 'Gewerbliche Fortbildungs Schulen,' of which numbers "exist in every German State (even the smallest), but modified in practical working "so that it may adapt itself to the social conditions and the existing educational ar-"rangements of our own people." . . . "Switzerland, with about two-thirds the popu-"lation of London, and incomparably less wealth, supports a multitude of such "schools, with the magnificent "Polytechnicon" of Zurich as their crown. The con-"dition of England in these matters is simply scandalous."

[2] In this year thirty-eight such examinations were held, among other places at Belfast, Birmingham, Bolton, Crewe, Camborne, Gateshead, Huddersfield, Hulme, Merthyr Tydvil, Nottingham, Newcastle, Oldham, Penzance, Swansea, and Wigan. The scheme included a system of registration for qualified teachers in technology, under which sixty-three classes were established during the year.

agreed to subscribe upwards of 30,000*l.* to this fund. It was also resolved to erect a technical college in Finsbury at an expense of 20,000*l.*, as an institution intermediate between the Cowper Street Schools and the Central Institution.[1] Finsbury College.

During this year the effect of the technological examinations of the Institute in the provinces was seen in the interest awakened in the subject of technical education among manufacturers and the members of mechanics' institutes in Leeds, Bradford, Huddersfield, Nottingham, Belfast, and other places. The manufacturers in several instances made arrangements for the instruction of the artisans in their employment, and the mechanics' institutes engaged teachers with the assistance of the Institute.[2] The number of students examined increased from 200 in 1879 to upwards of 800 in 1880.[3] The income of the Institute was materially increased this year by the accession of new companies, and by several of the original Companies adding to their subscriptions. Effect of technological examinations in the provinces.

In 1881 a Royal Commission was appointed "to inquire into the "instruction of the industrial classes of certain foreign countries in tech- "nical and other subjects for the purpose of comparison with that of the "corresponding classes of this country, and into the influence of such "instruction on manufactures and other industries at home and abroad." The appointment of this important Commission, which has just published its Report, was to a great extent brought about by the exertions of the London Companies. 1881.

During this year the foundation-stone of the Central Institution in South Kensington was laid by his Royal Highness the Prince of Wales, that of Finsbury Technical College by his Royal Highness the lamented Duke of Albany. The sum to be expended on the former was estimated at 70,000*l.*, that on the latter at 35,000*l.* The number of students at the London colleges, and the number of candidates for diplomas in the technological examinations of the Institute largely increased. Central Institution. Finsbury College.

[1] "It is anticipated that in the general scheme of the Institute's work, the Fins- "bury College will occupy an intermediate place between technical and middle class "schools, such as the Cowper Street Schools and the Central Institution, receiving "pupils from the schools and sending on the most advanced to the Central College at "Kensington." Report of Council of City and Guilds of London Technical Institute, presented March, 1881. The Council consists of Lord Selborne (Chairman), Sir Sydney Waterlow, Bart., M.P. (Treasurer), Messrs. Watney, Sawyer, and Owen Roberts (Secretaries), the Lord Mayor, the President of the Royal Society, the President of the Chemical Society, the President of the Institution of Civil Engineers, the Chairman of the Council of the Society of Arts, and delegates from the Corporation and the Companies.

[2] "Among other signs of the interest shown in the technological examinations as "means of promoting technical education in the provinces, are the suggestions re- "specting them, which from time to time your Council receive from trades' associa- "tions and other bodies." Thus, in the Report of the Linen Merchants' Association, Belfast, the following notice occurs:—"Your Council, with the view of further ex- "tending technical education in connection with the manufacture of linen, propose "communicating with the City and Guilds of London Institute, requesting that "'bleaching, printing, and dyeing of linen goods may be placed on their list of "subjects.'" Report of Council, March, 1881.

[3] The subjects examined in were alkali manufacture, blowpipe analysis, brewing, calico bleaching, dyeing, and printing, carriage building, cloth manufacture, cotton manufacture, electro-metallurgy, flax, fuel, gas manufacture, goldsmiths' and silversmiths' work, iron manufacture, lace, mechanical engineering, mechanical preparation and dressing of ores, mine surveying, manufacture of oils, colours, and varnishes, oils (illuminating and lubricating), paper manufacture, photography, pottery, and porcelain, printing, silk dyeing, silk manufacture, steel manufacture, sugar manufacture, tanning leather, telegraphy, watchmaking, and wool dyeing. The students came from Ballymena, Batley, Belfast, Birmingham, Bolton, Bristol, Burslem, Bury, Cambusbarron, Cheltenham, Chester, Coatbridge, Crewe, Cullbackey, Dewsbury, Dukinfield, Gateshead, Halifax, Huddersfield, Kenmare, Macclesfield, Newcastle-on-Tyne, Nottingham, Oldham, Rochdale, Todmorden, Widnes, Wigan, &c.

Recognition in *cy-près* scheme.

The subject of technical instruction was also for the first time recognized this year by the Chancery Division of your Majesty's High Court of Justice in the formation of a *cy-près* scheme.

1882.

During 1882 the work of the Institute steadily progressed. The report for the year, which is signed by Lord Selborne, as chairman of the Institute, states; "In reviewing the three great divisions of the "Institute's operations, (1) the establishment in the metropolis of a central "institution, and of other schools for technical instruction; (2) the examination of candidates in technology, and the encouragement by means of "grants to teachers, of technical instruction, as supplementary to the State-"aided teaching of pure science; and (3) the subvention in the great manufacturing centres of technical colleges affiliated to the Institute, your "Council have every reason to be satisfied with the advance that has been made in each division of their work." During this year the Council received applications for grants in aid of technical schools at Nottingham, Manchester, Middlesborough, Sheffield, Leicester, Bolton, Bradford, and several other provincial towns. Some of these applications were entertained, the promise being in every case "conditional on a sufficient sum "of money being subscribed from local sources for the erection and maintenance of an efficient school." During this year also a technical college, towards the building and endowment of which the Clothworkers' Company largely contributed, was opened at Bradford.

Applications from provincial towns.

Bradford Technical College.

1883, 1884.

From this time to the present the Institute has continued to make steady progress. Finsbury College is now built with a splendid apparatus of physical and chemical laboratories, and affords technical instruction to upwards of a thousand students. The lists of candidates and of subjects in the technological examinations have increased fourfold. Finally, the Central Institute, which is in Exhibition Road, South Kensington, is built, and will shortly be opened. All the great Companies and most of the minor Companies have associated themselves with the Institute, which has an income of 25,000*l.* a year arising from the private funds of the Companies, and has raised, in addition, from the same source, for the buildings above mentioned, upwards of 100,000*l.*

Steady progress.

Finsbury College.

Central Institute.

Income.

Building fund.

The contributions of the several Companies during the period over which the inquiry has extended are to be found in the Returns. We are informed that between 1881 and 1884 they have contributed about 120,000*l.* to the funds of the Technical Institute.

The Companies of London have thus founded in England a system of technical education, a service to the State which it is difficult to over-value, and an undertaking strictly in accordance with their original constitution.[1]

Royal College of Music.

The Companies have recently contributed 13,000*l.* to the Royal College of Music. The Court of the Fishmongers' Company bore the brunt of the labour of organization in respect of the "International Fisheries' "Exhibition," held with so much success last year, and this and other

[1] Professor Huxley, speaking at a distribution of prizes to the students at Finsbury Technical College in December, 1883, said, "I am perfectly certain that you have "now in this system of technological examinations, in the higher schools of technical "instruction, such as the Finsbury College, and in this central institution, of which "the body already exists, and of which the soul is in such a fair state of preparation that it may be said 'mens agitat molem,' unquestionably and indubitably the "nucleus of a vast growth of similar organizations. I have not the smallest doubt "that in place of two or three high schools of technical instruction there will soon be "scores in different parts of these islands, and that you will have in this Central "Institute a great uniting point for the whole of this vast network, through which the "information and the discipline which are needful for carrying the industry of this "country to perfection will be distributed into every locality in which such industries "are carried on."

Companies made a large contribution to the expenses. They have also made a considerable contribution to the "International Health Exhibition" which is now being held. The Grocers' Company has recently founded a scholarship for "scientific research." Fisheries' Exhibition. Health Exhibition.

5. The fifth part of Your Majesty's Commission requires us "to consider and report" to Your Majesty "what measures, if any, are expedient and necessary for improving or altering the constitution of the "Companies or the appropriation or administration of the property or "revenues thereof." As regards this part of Your Majesty's Commission, we beg to report to Your Majesty as follows :— Suggestions as to reform.

1. The only person of importance who appeared before us to suggest a scheme for reorganizing the Companies of London, was Your Majesty's Senior Inspector of Charities, Mr. Hare, and Mr. Hare's scheme, we say it with respect, appeared to all the Commissioners impracticable. Mr. Hare's scheme.

2. We refer as regards the corporate or private property, and corporate or private income of the Companies to (1) the law of the land on the subject as explained to us by the Lord Chancellor, according to which this property and this income is as absolutely the Companies' own as the property or income of any private person; (2) the circumstances under which this property was acquired as stated in the above historical survey, and also in the evidence of the Lord Chancellor, viz. partly by purchases made out of the private incomes of the Companies, partly by gifts "intended (in Lord Selborne's words) to be for the absolute "use"[1] of the Companies; (3) to the public spirit shown by the Companies of London in past times, and at the present time, in the good use which they have made of their private incomes, in past times in saving their charities from bankruptcy, and in the colonization of Ulster, at the present time in their support of useful objects, and in particular in the establishment by them of Technical Education, a movement which has revived in the only way possible at the present day the connection of the guilds of London with the arts and manufactures which they formerly represented, and which they will shortly be supporting by means of the Central Institute and its affiliated schools throughout the whole of the United Kingdom. The Companies' corporate property absolutely private. Law. History. Public spirit. Technical Education.

Their property being at law the Companies' own, the product partly of their own savings, partly of absolute gifts to them, and the income from it being in great part spent for the public good, we join with the Lord Chancellor in "declining to contemplate" any State interference with this property or with the Companies in their administration of the income arising from it.

As regards the trust property of the Companies and the charities of which they are the managers, and which are as above stated upwards of one thousand in number, we refer to the facts that (1) their existence at the present day, that is to say, the existence of several great and many small schools, and of eleemosynary charities, in the benefits of which almost every county in England participates, is due to the liberality and public spirit shown by the Companies of London in past times; (2) the reports of the early Charity Commissions and those of Your Majesty's present inspectors of charities show that the same liberality and public spirit still exists among the members of the courts of the Companies of London. Trust estate.

This part of the Companies' property is also under the control of (1) the Chancery Division of Your Majesty's High Courts of Justice; (2) the Charity Commission, and we are not aware that any dissatisfaction Control of (1) Chancery Division

[1] *See* the evidence of the Lord Chancellor (Lord Selborne).

(2) Charity Commission.

exists as to the schemes framed either by the Court or by the Commission. Neither the general reform of the law of trusts nor the reorganization of the Charity Commission is a matter within the scope of the Commission with which we have been entrusted by Your Majesty.

Failure of the case against the Companies.

3. It is only right that we should state that if the inquiry in which we have been engaged is to be regarded as a proceeding between our colleague, the honourable and learned Member for Chelsea, acting as a Government prosecutor, and the Companies of the City of London, the prosecution has failed, and the Companies have been successful. They easily defeated Mr. Firth as regards every part of the case set up by him in his work called "Municipal London," and a motion by Mr. Firth, in favour of disestablishing and disendowing the Companies, was rejected in our deliberations by a majority of ten to two. The gentlemen who appeared before the Commission to support Mr. Firth's views were, in our opinion, examined by us *ultra vires*, as they could not be "judged," we say it with respect, to be "competent, by reason of their situation, know-"ledge, and experience, to afford correct information on the subjects of "the inquiry" within the meaning of the terms of Your Majesty's Commission.

No movement against the City or the Companies.

4. So far as we can judge, no movement whatever exists in London either against the City or against the Livery Companies, and our honourable and learned colleague, Mr. Firth, and the few persons who are associated with him, have never been appointed by the citizens of London to act as their representatives as regards either so-called "Municipal "Reform" or any other matters.

Suggestions of the majority. Restraint of alienation.

5. As to the suggestions made by our colleagues in the principal report—

(1.) We consider that their recommendation with respect to "restraint "of alienation" is invidious and unnecessary. No one supposes that the courts of the London Companies are likely to sell and divide their corporate property even if it were practicable for them to do so, which is itself doubtful, considering that they contain certainly 20,000, more probably 30,000, members, of whom two-thirds are poor persons. Moreover two bodies, not exactly, it is true, "in pari conditione," but of similar constitution, viz. Serjeants' Inn and Doctors' Commons, have actually sold and divided their corporate estates, yet it has never been proposed to apply "restraint of alienation" to the Inns of Court and of Chancery in general. Also nothing can be more unfair than to place the Companies of London under a disability which is not to be imposed upon the Companies of Bristol, Newcastle-on-Tyne, and the other provincial towns in which mediæval guilds survive.

Serjeants' Inn. Doctors' Commons.

Provincial Companies.

Limitation of trusts to fifty years.

(2.) We consider that the proposal to limit the validity of the numerous charitable trusts administered by the Companies to a period of 50 years from their foundation is unjustifiable and inexpedient. There appears to us to be no pretence for treating the charities of the London Companies in any exceptional way, and we are of opinion that the number of new charities would seriously decrease if the law were that the trusts declared by the founders were liable to be pronounced obsolete at the close of so short a period.

Appointment of a Commission.

(3.) We do not agree with our colleagues as to the necessity for appointing a Royal Commission for the purposes of the reorganization of the constitution of the Companies, and the permanent allocation of a part of their corporate incomes to "objects of acknowledged public utility."

Reorganization impracticable.

We think, some of us speaking from experience as members of the courts of Companies, that the former purpose is impracticable, as, if their constitutions were much modified the London Companies might cease to be

what they now are, in the words of the Grocers' excellent minute,[1] "nurseries of charities and seminaries of good citizens." We also think that "objects of acknowledged public utility" are more likely to be promoted by the spontaneous action of the courts than by schemes forced upon the Companies by a Commission. Superiority or spontaneous action.

(4.) Any person having the slightest knowledge of the London Companies must be aware that patrimony is the very essence of their constitution. But for the hereditary nature of the privileges which they confer, they would probably have long ago ceased to exist, and few new members would now join them.[2] Patrimony.

(5.) We do not regard the question of the Parliamentary Franchise of the liverymen as within the scope of Your Majesty's Commission. Parliamentary Franchise.

(6.) We agree with our colleagues in their recommendation with respect to the publication of the Companies' accounts, and we think the Companies have done right in themselves proposing that they should pay Succession Duty. Publication of accounts. Succession Duty.

The proceedings of this Commission have, we regret to say, been attended with some interference from without, and an incorrect account of the recommendations of our colleagues has appeared in a morning newspaper. The scheme suggested in this account was one which no considerable number of Your Majesty's Commissioners would ever have sanctioned. Publication of incorrect report.

(Signed) RICHARD ASSHETON CROSS.
N. M. DE ROTHSCHILD.
W. J. R. COTTON.

I sign this report subject and without prejudice to the protest against the report of the majority of the Commission which I have previously made, but I am unable to agree with the passages relating to the Technical Education movement, of which I do not approve. I also dissent from the above paragraph relating to the publication of accounts.

3rd June, 1884. W. J. R. COTTON.

The following able document is an additional protest by MR. ALDERMAN COTTON :—

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

May it please Your Majesty,

Being unable to agree with the report of the Commissioners appointed by Your Majesty to investigate the affairs of the Livery Companies of the City of London, I beg most humbly to be allowed to present to Your Majesty a protest against the same, upon the following grounds. Protest against report.

1. That no evidence has been produced against the honour, honesty, or integrity of the Livery Companies ; it is true that opinions have been expressed against them, but no facts have been before the Commission No evidence against Companies.

[1] *See* supra, page 125.

[2] The feeling of the members of the Companies with regard to patrimony was well expressed by the Lord Chancellor (Lord Selborne) at the laying of the foundation stone of Finsbury College in 1881. "He never had any other feeling than one of "pride and satisfaction respecting his connection with the guild of the Mercers' "Company. . . . His ancestors for four generations had been so connected before him, "and he had no reason to be ashamed of anything which any of them had ever done "in that or other relations of life, *and that was a part of his inheritance which he "should always greatly value.*"

which in any way affect their high character, and the estimation in which they have always been deservedly held by the public.

Recommendation should be presented to the Companies as "suggestions" only.

2. Many opinions have been given to the Commission as to the manner in which the funds of the Companies should be used. I think the purposes of this Commission will be answered if their recommendations were presented to the Livery Companies as "suggestions." This would make the Commission far more fruitful than any arbitrary Act, as the Companies have always shown themselves ready to appreciate and to give effect to any practicable suggestions tending to increase their public usefulness, and would leave the management of the properties to those who thoroughly understand it. The appointment of any new body or bodies must result in many blunders, much waste, and much cost.

Parliamentary interference unnecessary in "restraint of alienation."

3. That the suggested interference by Parliament through the House of Lords, or otherwise, in "restraint of alienation" must be unnecessary, as the experience of centuries shows that no Company has ever contemplated or suggested the realization of its property for the purposes of dividend or division.

Livery franchise representative, and ought not to be abolished.

4. That the Parliamentary franchise enjoyed by liverymen is held by men, some of humble and some of the highest position, thus forming a constituency as representative as any in the realm. It numbers over 7000 members, who obtain their privileges irrespective of their political opinions. The abolition of the livery vote would not of necessity disenfranchise the man, as the large majority have votes through other holdings in addition to that given them by their livery, and as no one can enjoy two votes, the one which they may use is decided by the revising barrister. Admission to freedom *only* does not confer any Parliamentary Franchise.

Common Hall ought not to be abolished, uses set out.

5. The Common Hall is attended by the most active citizens, who take an interest in municipal affairs, it annually selects two aldermen who are returned to the Court of Aldermen to elect one as Lord Mayor, it also elects the sheriffs and some of the high officers of the Corporation. Common Halls can also be called together to discuss any question of public interest or emergency, and should not be abolished.

Interference by Parliament with Companies' private property spoliation.

6. That interference by Parliament with the private property of the Livery Companies must be an act of oppression and spoliation, although disguised under the terms of "restraint of alienation" or "allocated to the support of objects of acknowledged public utility," and that no new Commission could possibly manage the affairs of the Companies so successfully, usefully, or more honestly than the present members who represent a long line of illustrious ancestors.

Public audits not justifiable.

7. That no public audit or other outside interference with the private accounts of the property of the Companies is necessary or justifiable, the lands and the properties of the Companies having been acquired either by purchase, the money for this purpose being derived from the accumulations of fees paid by, or fines inflicted upon, their members, or by gifts and legacies, also from members of their own body.

Members of the Companies never were exclusively of craft.

8. That the returns made to the Commission show exclusively that the members of the Livery Companies were never exclusively of the trade the name of which was borne by their Company, and that for about 400 years the larger proportion of the members have not pretended to follow the crafts of their Companies, hence any forced devolution of their funds in aid of such trades would be a gross injustice. It cannot be pretended that any Company was established *solely* to promote the interest of the trade whose name it bears.

Description of what the Companies really are.

9. The Livery Companies are not to be classed with friendly or benevolent societies, with monastic institutions, or with political or other clubs. They are institutions peculiar to themselves, approaching most

nearly to the masonic body, being composed always of members of the highest honour. They are and always have been foremost in promoting education, charitable and kindly acts, and other worthy eleemosynary objects. It is only possible to become a member of a Livery Company by patrimony, by apprenticeship, or by redemption (which last means by purchase or gift). Redemption is allowed by vote of the Court only after strict investigation as to the character and position of the applicant. Freemen and liverymen, even if they become members at the age of 21 years, would not be placed upon the Court in some Companies for at least 15 years, and in the majority for a much longer period. They are only admitted on payment of a large fine and after a second investigation as before. The average duration of the life of members in the Court is 12 to 14 years, during which time and for this period of their life only they enjoy the full advantages of the Company. To attain this position and to serve the offices of wardens and master is the ambition of all men connected with any Company, and I unhesitatingly affirm that the Livery Companies have exercised in the past, and do in the present, a very good and important moral influence not only upon citizens and city life, but upon public life generally.

As to income and expenditure.

10. The available annual corporate or non-trust income of the Livery Companies, without taking any allowance in respect of halls and other buildings used by the Company, or the plate, furniture, and other property not producing income, may fairly be estimated at about 510,000*l*. This sum is to be enjoyed by about 7000 liverymen and 13,000 freemen, who in time, when qualified, become liverymen, making a total of about 20,000. Their annual expenditure may be estimated as follows:—

	£	
1. Education (about)	50,000	1. The statistics prove that the Livery Companies require no recommendation from the Commission to promote this. The suggestions therefore of those who have appeared before it are simply unnecessary and superfluous in this respect.
2. Eleemosynary gifts, pensions, &c. (about)	30,000	2. These, notwithstanding the ideas expressed by a few persons to the contrary, cannot tend to pauperize the recipients; on the contrary, they are productive of great comfort, chiefly helping those who are absolutely reduced by a sudden or great calamity, and who, but for the aid thus rendered, would become paupers. Beyond this the charities of the Companies, joined to other private and individual charity, tend to maintain the peace of the nation by helping those who cannot help themselves, while saving their self respect, and also assist the rates by keeping a large number from applying for parochial aid. These remarks apply equally to pensions. Assistance is never given to other than really deserving cases, and then only after full inquiry.
3. Hospitals and general charity (about)	70,000	3. These donations speak for themselves, and are an invaluable benefit to the institutions to whom grants are made. Without the aid of the Companies many of the
Carried forward -	150,000	

	£	
Brought forward -	150,000	
		Metropolitan hospitals, benevolent and charitable institutions would have to seriously curtail their usefulness, and probably some might have to close their doors. The amount spent for general charity goes in support of an immense variety of objects—poor boxes of the Metropolitan police courts, homes, refuges, orphan asylums, hospitals, missionary societies of all denominations, all the Mansion House funds, gardens and recreation grounds for the people, scientific objects, &c.
Salaries, wages, &c. (about)	60,000	4. These are not excessive, when the qualifications required by the holders of the offices and the character of the work done are considered. Before men are appointed to an office in any Company they are subjected to a strict examination as to their capacities and integrity. There are always many candidates who are subjected to a severe contest, and have to win an election before appointment, the most efficient being always selected. The Clerk is the only high-salaried officer in every Company.
5. Hospitalities (about) -	75,000	5. The hospitalities of the Livery Companies do much good by bringing all classes together, who otherwise in these days of suburban residence would never meet. At all dinners the guests, not members, far exceed those belonging to the Company, frequently including Royalty and the distinguished men of the day. In addition to this, the Livery and their friends enjoy one or more dinners per annum, according to the custom and position of the Company to which they belong.
6. Fees (about) - -	40,000	6. The annual fees paid to individual members of the Livery Companies (which represent this total) are paid only for actual attendance and in consideration of the time spent in the transaction of the affairs of the Company, which varies from one to five or more hours. These fees do not amount in any Company to more, and in some to less, than those given by Bank, Insurance, Co-operative, and other trading Companies for the same or even less services. Dividends are entirely unknown.
7. Rates and taxes (about)	30,000	7. This completely refutes the statement that the Livery Companies do not contribute some share towards the State and local Government expenses.
Carried forward -	355,000	

	£	
Brought forward -	355,000	
8. Rents of almshouses and schools, household expenses, and expenses in relation to livings (about)	75,000	8. The household expenses are by no means exeessive. The other items are reasonable, and necessary, and productive of great good.
9. Sums expended in Ulster in support of ehurehes and schools of all denominations. (about)	10,000	9. This requires no comment.
10. Improvement of estates in England and Ireland, maintenanee of halls, &e: (about)	70,000	10. These are neeessary to maintain the properties and work of the Companies, and no objection can reasonably be made thereto. It must also be borne in mind that the position of the halls in their different localities has tended to improve and maintain the respectability of the district in whieh they are placed.
	£510,000	

Number of members of court not important.

11. It eannot be of any real importanee whether the Courts of the Livery Companies be eomposed of 10, 20, 30, or 40 members, when their surroundings and social positions are considered. It must be remembered that every liveryman aspires to attain the Court of his Company, and that to enable a fair proportion of the livery to do this, it is absolutely necessary that the Courts be large in number. It may also be pointed out that eaeh member has paid a sum aecording to the status of his Company for his seat, and that he does not reach this till he is far advanced in life, that some die before and some soon after their eleetion on the Court before they have received even a return of the fines and fees paid by them to their Company.

Colourable apprenticeship no wrong.

12. What is called colourable apprenticeship is no wrong, it being one of the modes of admission, and enables a man of moderate means to obtain for his son a position in the Company, whieh otherwise he would not have been able to do, and which may be to his advantage in after life. It must be remembered that this has been the eustom of eenturies.

Charitable and trust estates under control of Charity Commission.

13. The administrative eontrol of charitable and all trust estates has long sinee passed away from the Livery Companies, and they are only now administered by them under the order and approval of the Charity Commissioners at eost and trouble to themselves, and undoubted advantage to the trusts.

As to interest of all members in property of Company.

14. It is true that only 1500 of the livery out of a total of about 20,000 liverymen and freemen are members of the Courts of the Companies at any one time, but eaeh qualified liveryman and freeman in rotatiou, if life allowed, would become a member. The whole of the remaining 18,500 members have a vested interest in the properties of the Companies, and enjoy advantages and privileges as sueh. There is no evidence and not even a suggestion of any eontemplated payment of any dividend or any misappropriation or division of the funds, and nothing

of the sort could legally take place without the consent of each and every member, be he livery man or be he freeman.

Members of Companies are satisfied with present administration.

15. The present administration may be said to be in almost thorough accord with the feelings of every member of the Companies; the only two adverse opinions given before the Commission were contradictory, one being of opinion that his Company did too much, the other that his did too little.

Liverymen do not pay annual subscription.

16. It has been stated that the liverymen only pay 1*l.* a year for their privileges. They do not pay any annual subscription (except quarterage in some Companies, which amounts from a few pence to a few shillings per annum), but each pays down on admission sums varying from 150*l.* to 200*l.* in the more important, and from 15*l.* to 50*l.* in the lesser Companies, for which he practically receives no return until he is admitted on the Court, when a further sum of from 25*l.* to 250*l.*, according to the position of the Company, has to be paid. All admissions being very carefully made as stated in paragraph 9 of this protest, it follows that but very few are admitted in any one year, and thus the united payments for admission may only amount on an average to the sum mentioned. I beg to enter a most emphatic protest against the partisan spirit which has prompted the publication of misleading statements.

Summary of the position of Companies.

17. Finally, I respectfully submit to your Majesty that the Livery Companies are middle-class institutions, and have always been well, honourably, and honestly managed (against this assertion no evidence has been adduced); and any attempt to destroy them will seriously affect the middle class of the City of London and the Metropolis, and, possibly, hereafter, through them, the whole of this class throughout the realm; it would be one more advance towards centralization, which, if established, will ultimately divide the people of this country into two classes, the highest and the lowest, or aristocracy and serf; a state of affairs which, by preventing union in a common cause, led to the subjection of Poland to Russia. That they pay all rates, taxes, &c., ordinarily paid by landlords and tenants, including income tax on all moneys annually received by them. That the pensions, gratuities, and doles, which are curiously objected to by some parties, as previously stated, save the rates, by keeping the recipients from applying for parochial relief, as by so doing they would forfeit all claim to any gift from their company. Almost every object brought before the Commission as worthy of being assisted from or through the funds of the Livery Companies, such as education (general and technical), hospitals, public playgrounds, accidents of moment, in short, everything that charity, philosophie, or scientific bodies can suggest, has from time to time been profusely assisted by the Livery Companies. Their income, as stated in paragraph 10 of this protest, may be estimated at 510,000*l.* per annum, out of which under 35 per cent. is spent on the members, including in this amount 60,000*l.* for salaries, wages, &c., a position which I humbly venture to think very few bodies of men in similar circumstances could improve, leaving 335,000*l.*, of which 70,000*l.* is applied towards the improvement of estates in England and Ireland, and in the maintenance of halls, &c., 30,000*l.* in payment of rates, taxes, &c, the balance being applied in supporting good, useful, and charitable objects. That the agitation against the Livery Companies is but small, and must be so as their work, constitution, and uses must be seen, felt, and known to be appreciated, and this every man in the kingdom can now do upon a reference to their returns. To upset the existing order of things by the appointment of new and most probably more expensive bodies of management, would, independently of the great injustice done to the rights of property, produce, as very many pretended reforms in the past have done, no better, and most likely far worse results.

No public bodies of importance (not even those who appeared before the Commission) have advocated or sought for a distribution of the properties of the Companies. They have very naturally expressed a hope that they might, in the event of any distribution, be allowed to share, in order that what they must lose under the altered position of the Livery Companies might in some way be made good. The Livery Companies have no money in hand, the whole of their balances being applied, as has been previously shown, to works of acknowledged public utility and goodness. The Charity Commission have in all cases reported most favourably of the Companies, showing that they are most excellent trustees, who spend a much larger amount than they are bound to do on all the charities they administer; and I would also humbly beg to call your Majesty's gracious attention to the fact that nearly all important civil actions attacking the private properties of the Companies have been decided in their favour. Any interference with the property of the Livery Companies must tend to create mistrust and destroy confidence in all benefit and other societies which tend to inculcate habits of saving and thrift.

Much has been said about the power of the Parliament to take possession of the properties of the Livery Companies. I do not doubt its *power*, but I do its *right* to commit a gross injustice and wrong.

18. Lastly, may it please your Majesty to allow me humbly to call your gracious attention to the protest against the abstraction of the private properties of the Livery Companies which accompanied each return to the Commission.

Attention called to protest of Companies.

(Signed) W. J. R. Cotton.

April 10*th*, 1884.

CHAPTER IX.

Mr. Thwaites' noble bequest to the Clothworkers' Company—Attempt to seize same a warning of what may be expected in the early future—Bequests to her Majesty and the late Earl of Beaconsfield—The Royal Commission a result of a change in the political constitution of the City of London representation—Extreme views held by a majority of the Royal Commission—Perversion of facts in regard to the status of the Companies resulting from the Great Fire of London—The term "public" wrongly applied to the Companies—The term "corporation" explained—The Livery Companies "public" only in the same sense as the railways and banks—Penal clause of the ancient Guilds—The historic development of the City Companies—Unanimity of the spoilers; their various pretexts favourable to the communists—Sacrifices submitted to in olden times to satisfy the rapacity of royal plunderers—Recapitulation of some of the many infamous charges brought against the Companies—Speech of Sir Hardinge Giffard referring to the falsities of the Companies' enemies, their attacks on property-rights, and a recent unworthy utterance of a Cabinet Minister—Alderman Fowler's great services to the cause of the Companies—The Spectacle Makers' and Armourers' Companies instances of the high character and nobility of heart of all the so-called "Minor Companies"—Matters introduced into the Commission Inquiry having reference to the several estates in Ireland the property of certain of the Companies, and the using the occasion for an attempt to secure lowering of rents—The Ironmongers' with Salters' Companies' administration of their respective properties—Sir Thomas Nelson's admirable statements of the Liveries' case before the Commission

Thwaites' noble bequest to the Clothworkers' Company stigmatized by Phillips as that of a lunatic; the attempt to seize it a warning of what may be expected in the early future.

LET no man hug himself to the belief that length of time is needed for maturity of a period ere the confiscator will seek devised property as prey. Take the case of good Brother Thwaites, of the Clothworkers' Company, whose death but as yesterday, though affording a happy instance that the spirit which prompted the offerings of the brethren to the common stock of the Guilds is not even yet extinct, tells with trumpet-tongue that the vampire of despoil will fix his claw on property of even most recent devise. So lately as 1831 Mr. Thwaites was in the flesh; he loved his old company, he had eaten many good dinners and had much happy intercourse with his brethren of the Clothworkers' Company, and when he passed away from the world it was found that his will recorded that he endowed his Company with no less a sum than twenty thousand pounds, and, as specified in his own last will and testament, "*to "be laid out in the way that may tend to make the said society comfort-"able.*" Of course for any man to leave the world, and with the last movement of his lips bear witness to the goodness of those who had gone before him by following their example, was the surest way to secure the exasperation and vindictiveness of the Firth class. Accordingly Mr. Thwaites was denounced before the Commission by Mr. Phillips in the strongest language, and his gift to the Clothworkers' Company stigmatized as "a lunatic bequest." Thoughtful men will dwell on this case and all that appertains to it. The donor of the money to his Company passed away from his brethren but as yesterday, and yet we see it coolly recommended that his will shall be worse than disregarded, and that the enemy shall enter into possession. Applied to wills of past ages, the principle is less

startling, though none the less opposed to every principle of law and justice.

Bequests to her Majesty and the Earl of Beaconsfield.

There is an instance of a bequest of a large sum of money within recent years to her Majesty the Queen. It is also matter of notoriety that a lady, in admiration of Lord Beaconsfield's devotion to the interests of his country, bequeathed him a considerable sum. What would be said of the Duke of Bedford and Lord Derby, or other persons in high position, publicly recommending that these bequests should be set aside and the moneys drawn off into other channels? Or supposing Mr. Gladstone to fall under such love and like admiration as to become a legatee after the manner of Lord Beaconsfield (and although such event has not yet shown itself, it may come to pass), would it be tolerated to seize on Mr. Gladstone's legacy and hand it over to Mr. Firth's Liberation or other political societies in Chelsea? These are no far-fetched cases, they are precisely what is proposed under the Commission, but which it is hoped the people of a law-abiding country will never support or sanction.

Let my Lord of Derby and his Grace of Bedford look to their ways in this matter, remembering,

"With what measure ye mete, it shall be measured to you again."—Matt. vii. 2.

Her Majesty and Lord Beaconsfield's legacies are as yet a little too green for the spoilers. Give such a shade more of maturity, though both are now somewhat approaching to the age of Mr. Thwaites' bequest, when deemed ready for freebooting diversion. Even Mr. Firth and his comrades have not yet got so far as to meddle under half a century. There must be some ripeness to cover up such class of pillage.

The Royal Commission the result of a change in the political constitution of the City of London representation. Extreme views held by a majority of the Commission.

It has been the aim of the writer to place everything in connection with the inquiry into these old Companies before his readers in a strictly fair and true light. In concluding the remarkable history, it is well to take a short review of the whole case so far as the main facts are concerned. Chiefly should it be borne in mind that all seemed smooth with the Companies until the general election of 1880. The party it brought back came on the stage of power with very pronounced associates. These remembered that the City of London had somewhat changed its representation, and we find Mr. Gladstone announcing that the time had come "to inquire into the Livery Companies of the City of London." Forthwith the Commission started into life, and with its birth came new light, as evidenced in the names of the Commissioners. There were to be twelve altogether, nine of whom were of the dominant political party, and three, i.e. Firth, Burt, and James, were unmistakably the openly avowed enemies of the most pronounced class. These were the men selected to sit in judgment on the Companies, and to decide whether they were guilty or not of the charges preferred against them by Firth and Beale, crimes openly asserted as of a character warranting their treatment as criminals. Firth, be it ever remembered, as the most prominent of their accusers, is placed on the judgment-seat. Lord Coleridge, though he be Lord Chief Justice, is nevertheless one of the gentlemen forming the band of serjeants who but recently sold the property of their Guild, and divided the proceeds among themselves; he also was selected as a fitting one to place in the seat of justice in the case offering such a marvel of wealth as was hung before the eyes of the spoilers. It is almost beyond the assurance of even the most utterly conscience-void, that the class of men known to represent the Companies should have been marked out for preventitive of property-dividing such as the law serjeants had just perpetrated. There was no ground for believing that the gentlemen forming the Liveries Management Courts were of a class thus to fill their pockets. They had the characters and honour of long lines of honourable predecessors to protect

and imitate. The Commission need not have insulted them by the unwarranted assumption that they were of the realization class. The Lord Chief Justice, with highest respect be it written, may possibly from experience have felt the temptation, hence possibly the insertion of suggested restraint action.

Perversion of facts in regard to the status of the Companies resulting from the Great Fire of London.

Of all the subterfuge absurd shifts of the section of the Commission most in union with Mr. Firth and his confederates, none is more outrageous than its dealing with the Companies in regard to their position after the great fire of London in 1666, and which would have entirely ruined any but the good beaver-habited men such as have ever handled these properties. It is admitted that "very large sums" were raised by the private subscriptions of the members, and this at a time when the status of the Companies was identical with what it is to-day. See how the wily and seemingly communistic members of the Commission twist this to suit their own purposes. They are pleased to insult the common sense of Englishmen by saying, "Even assuming that the Companies were actually founded anew at this period, the second foundation took place *a long time ago*, and they are public bodies. Slippery as eels, there is no tying down the Firth conspirators to anything save a steady purpose to plunder the Companies. Five centuries ago they are said to have been "public bodies;" then we are told that three centuries ago they received lands upon "moral trusts;" and further it is admitted that two centuries ago they were largely re-endowed from private sources. The cunning section of the Commission, open enemies of the Companies, admit the two first facts, inasmuch as they seem to serve for material on which Mr. Warr could manufacture a Report. But even the existence of the third and all-important fact is utterly ignored by Mr. Conspirator Warr in dictating the document he places before the world as the "Report of the Commission." Had not Lord Sherbrooke beforehand paved the way by announcing the Cromwellian doctrine of the all-potentiality of Parliament, the Commission would never have insulted the country by telling them, as is done in this case, that the most recent endowment of the Companies from private sources happened "*a long time ago*," and therefore they are free to be pillaged. Was ever anything more monstrous? Lapse of time we can all understand may operate to turn a bad title into a good one; but how length of possession can turn a good title into a bad one is a doctrine serving only for Firths and Bealites, and men of their genius.

The term "public" wrongly applied to the Companies. The term "corporation" explained. The Livery Companies public only in the same sense as the railways and banks.

Nothing can be more misguiding than the adoption of the term "public" to the City Companies. Are not the London and North-Western Railway and the London Joint Stock Bank termed "public Companies"? Is not every one of the many thousands of Joint Stock Companies with which London swarms "public"? Where is the man who would say that he has any right in the world in the properties of such concerns beyond the right of purchasing and holding the shares any one may think proper to sell him in any or either such corporations. It is, moreover, asserted that the Guilds became a State Department by virtue of their charters of incorporation. It fits in with the views of the communist portion of the Commission to enforce this view, but it is entirely ruled out, as are all their other theories, by the actual facts. A corporation is after all nothing more than an individual termed for special needs "a corporation;" in clearer language, is permitted to endow, as the case may happen, either a number of persons, or it may be the holder from time to time of a particular office, with all and the same legal rights as one individual person would hold and possess were he never to die. Now as this undying one, who of course is a creature of the law, cannot affix the signature of a human being, the law per-

mits him to use a seal. So far as property is concerned, this embodyment under a seal can do just whatever he please as to property. He can buy and sell, he may become rich, or he may fall into poverty; he can do anything which a real human being in the flesh can do, so far as property is concerned, but he is prevented holding land unless through an authorization to do so by a licence in mortmain. It will be seen that a charter granted any of the old Guilds, if accompanied by mortmain licence, enabled the recipients to acquire and manage property as they willed. The City Companies, it is proved, paid in every instance heavily for this privilege; but there is no ground, or even the smallest reason, to found or set up the ridiculous theory as that any such Charter welds the Guild thus incorporated into any such peculiar union with the State, or that it manufactures it into what the Firths and Beales, for their own purposes, are pleased to style "a public body." None of the City Livery Companies are public bodies, save in the sense pretended by their spoilers as a note of preparation for the act of robbery.

It would be well in these modern days to observe some of the penal clauses enforced by the ancient Guilds against members—such, for instance, as the following:—

"If ony man be of good state and use hym to ly long in bed, and at "rising of his bed he will not work ne wyn his sustenance and keep his "house, and go to the tavern, to the wyne, to the ale, to wrastling, to "schetyns, and in this manner fallith poor and left his cattel in his "defaut for succour and trust to be holpen by the fraternity, that man "shall never have good ne help of Companie, neither in his lyfe ne at "his death, but he shall be put off for evermore of the Companie." Penal clause of the ancient Guilds.

The history of the various City Livery Companies as developed through the Commissioners' Report shows how by degrees the old burgher spirit yielded and the so-called guild merchant vanished, and the Corporation of London appeared on the scene as the results of the power of the craftsmen. This transfer of civic power was brought to completion about the middle of the fourteenth century. In was in Edward II.'s reign that all who desired to be free of the City were obliged to join a Guild, and it was in the following reign that the right of election of aldermen was transferred from the wards and vested in the Companies. This arrangement did not last long, for in 1384 the former constitution of the City was restored to it. Originally the Companies had no public duties whatever. They were nothing more than private organizations for some centuries after their foundations, i.e. they served as club, benefit society, and trade union in one. The *quasi*-public duties they had for a brief period discharged in the Middle Ages ceased of action in the days of the Plantagenets, and yet the majority of the Commissioners have the effrontery to advance this as an argument for now robbing them of their properties. All they have to say is, they were public bodies some 500 years ago, therefore they are public bodies now and fitting objects of despoil. The historic development of the City Companies.

These same valuable historical contributions furnished by the Companies point out that the brief civic supremacy of the Companies terminated some five centuries since, and their regulations of trades came to an end in the fifteenth and sixteenth centuries. Early in the seventeenth century, the powers of monopoly and search contained in their charters were in more than one instance declared illegal by the judges, and they one and all fell back into their former condition of voluntary associations of individuals united for purposes jointly social and benevolent. It must, however, be borne in mind that when they passed away from the exercise of influencing public affairs, they applied themselves more than before to their original formation and object of their first con- TheCompanies' properties strictlyprivate in olden times; their continuance as such until present.

dition, i.e. the management and use of their properties for certain purposes. Their properties were private; it is private property at this time, as it was then, and ever has been. All asserted endeavours to disprove this are mere pretence; there has been no attempt to overturn this solemn truth. It is dealt with only by Lord Sherbrooke's declaration that "Parliament is omnipotent." Neither the Duke of Bedford nor Lord Derby seem to have endorsed this settling sort of argument, as it is not advanced in the Report signed by those noblemen. One alternative only remained. This was the endeavour that the corporate estates of the Companies was not private property at all, and this course, adopted by a portion of the Commissioners, broke down most signally.

Unanimity of the spoilers, their various pretexts favourable to the communists.

No unanimity existed with the despoiling portion of the Commission as to the sense in which the Company's property is said to be "public." Some declared it to belong to the whole community, and which they term "the State," others assign it to Londoners only, while a third as loudly assert it as belonging to trade. All of the stealing section are of one accord in that it must be wrested away from its present possessors. A general scramble is to be the after-outcome. But even these miserable constructions are put forward only now and again as it seems to serve the turn of the communists. Generally they rely on the assertion that the properties of the Companies were granted them by the State upon what is morally a trust for the relief of poverty and the promotion of education. It is shown in these pages that the greatest of English lawyers have over and over again decided against this theory. "But," say they, "the Commissioners do not consider themselves bound by them in framing their report." The pretext that the properties of the Companies having been granted them by the State for the relief of poverty, &c., is said by the communistic portion of the Commission to have been a trust created in the reign of Edward VI. At the Reformation, as already shown, the Companies held part of their lands subject to "superstitious uses." Those lands were vested by statute in the Crown and redeemed by the Companies in the year 1550. Continually in the course of the Report of a section of the Commissioners it is declared that this redemption was allowed by the Crown on what they style *a representation* from the Companies that the rents would be devoted to charitable purposes.

Sacrifices submitted to in olden times to satisfy the rapacity of their royal plunderers.

It is hardly possible of belief that this so-termed "representation," described by the would-be spoilers as "a Return to Commissioners appointed by Edward VI." was *actually and really presented to Queen Elizabeth thirty-seven years after the redemption had been made, and was utterly and entirely unconnected with, and had not the smallest reference to, that transaction.* This is not all. Far from being "suffered" or "allowed" at the request or upon the representation of the Companies, it is proved beyond all disputation that *the redemption in question was actually forced upon them by the Crown for the purpose of extorting money.* These Companies, whose loyalty was appreciated or contemned as it best suited the occasion and purposes of the spoilers of old, were forced to pay an exorbitant price, wrung from them in true Shylock manner and to be forthcoming in eight days. According to old Stowe, and his authority will rule over any Firth or Beale testimony, they had to sell *their own best lands* at a great sacrifice to satisfy the rapacity of the royal vendor. In these few words is conveyed the only true history of the moral trust created by the re-grant of King Edward. Thieves and knaves may twist it as they may, such is its only true meaning.

Any one desirous of forming a correct estimate of the infamy of the charges so continuously urged against the Livery Companies, is enabled

to judge of the conspiracy through its descending to any and the meanest description of slanders; a recapitulation of certain of these is needed for this purpose such, for instance, as the following in Mr. Phillips's article in the *New Quarterly Magazine*, viz.:—"*Not a five-*
"*pound note is voted by a single one of the eighty odd Companies which*
"*is not ostentatiously advertised in every popular newspaper. Little do*
"*the public think that this show of charity covers a maladministration of*
"*trusts and a reckless disregard of charitable intentions such as find no*
"*parallel. The fact is, that in many cases these votes of money to charit-*
"*able purposes are neither more nor less than conscience money.*"

It hardly need be said there is not one single syllable of truth in this charge. None of the Companies ever advertised a donation made by them. Some of these donations no doubt get into the public papers, but, in nine cases out of ten, it would be found that the advertisement has come from the charitable institution benefited, and most probably mentioned with a view to stimulate and encourage the charity of others.

As to the maladministration of trusts, charged by the author, there is not the shadow of a pretence for the accusation. The whole passage contains a calumnious charge, for which there is no foundation—a charge which no public writer of any standing would have made without having ascertained that there were sufficient grounds for it.

The whole evidence adduced before the Commission proves the utter falsity of the charge. No maladministration of trusts was attempted to be set up, much less proved, against either of the Companies, and yet this mendacious writer has the daring to assert that "*The Companies'*
"*maladministration of trusts and reckless disregard of charitable inten-*
"*tions are such as find no parallel.*"

Further the prosecutors in the case openly and publicly asserted and reiterated that—

"*The conduct of the Companies has been such in their trusts as, if they*
"*had been private individuals, would have subjected them to have been*
"*treated as criminals,*" *or, to use language if possible only a trifle plainer, they were public thieves. That—*

The vast sums they hold and which were designed for charitable purposes, were being wantonly wasted in weekly feasts and orgies of unbounded wastefulness. That—

Large salaries and moneys in shape of attendance fees on courts and committees are rewards paid to members of the courts; and that, in further addition to these—

Moneys are on occasion of such feasts placed underneath the plates of dining members.

That relatives of members of the courts are "*educated in the Companies'*
"*schools and there accommodated with exhibitions in the Universities free*
"*of expense.*"

Will it be credited that Mr. Phillips, one of the men who had more than a hand in penning these gross vilifications, when under examination before the Commission, responded as follows to the Lord Chief Justice of England:—

Lord Coleridge, who, with evident desire to know how the witness would justify himself in regard to his many unfounded accusations, asked,—

Let me ask you one question. I do not know whether you would admit that it may be very possible for a system to be bad without the men who come in to administer it being themselves dishonourable or bad?

Never in my life by one word that I have ever written have I

suggested any dishonour to any single member of these Companies. They have learned to administer the property in this way; they think it is no harm so to do; they contend that it is theirs, and that being so they are acting as any other honest men would do having such views.

It is open to the suggestion that this is not the best way of managing the property without suggesting that the people who manage it are not honest?

I have never suggested that they are not honest. They contend that it is their own property to do what they like with.

Speech of Sir Hardinge Giffard, referring to the falsities of the Companies' enemies, their attacks on property-rights, also referring to a recent utterance of a Cabinet Minister.

Sir Hardinge Giffard, M.P., late Solicitor-General, addressing a body of gentlemen, members of the Livery Companies, recently on the subject of their rights, forcibly expressed himself thus :—"It was obvious when people took a deep interest in a subject, whether it was scientific or political, or whether it had reference to the questions of trade and commerce, it was not unnatural that those who took the same view of things should unite for the purpose of discussing, favouring, and maturing a subject in which they were so deeply interested. And he believed the energy of the sort which might be seen exhibited very conspicuously in Pall Mall and its neighbourhood exhibited itself in earlier times in the City of London, when persons thought it was important for the country to cultivate and foster foreign trade and domestic trade. That he believed to be the history of the City Companies. It was not true to say that they were entrusted, in the sense in which a lawyer would understand the word, with a trust which they were to carry out. They, like other men, regarded life as comprehending various duties, and, amongst others, the duties of social intercourse and good fellowship one with the other. He was speaking amongst those who were able to answer for themselves, and who were able to understand whether it was correct to describe civic festivals as scenes of gluttony and drunkenness. He was aware that in certain minds—well, he would not say that—but in certain tongues—it was impossible to speak of a City festival without words of reproach and invective. They did not eat, they 'guttled.' They did not drink, they 'guzzled,' and the guzzling was supposed to carry with it an argument that they ought not to be permitted to eat and drink like ordinary mortals. The interests of the time rendered calumnies, which might be passed by with contempt at another period, matters for serious consideration. Of course, the rich and the poor, the existence of misery in this world besides great riches and wealth, and comfort, and luxuries, were topics which from the earliest history of mankind had been played upon by demagogue after demagogue for the purposes of setting one man against another; and in this country that string had been harped upon over and over again, unfortunately sometimes to the destruction of the broad industry, sometimes to the destruction of the municipality. But he believed it was novel in the history of this country to hear a Cabinet Minister discoursing on that string. To his mind, it was utterly unexampled in the history of the country to have had observations of the character to which he referred directed against the owners of property by a person who by an hypothesis was entrusted by her Majesty to govern her country in the light of the law and of the constitution. They had nothing to do there with politics—in the sense of party politics. Upon these they had as much right to form their own individual opinions as any other people. But there were some principles which ran through social life and which were necessary to the existence of society, and amongst these was the recognition of the rights of private property. He knew it was one of the familiar expedients of some to attempt to divide society by

suggesting to each particular unit in turn that the one which was to be sacrificed was exceptional. It was said, for instance, nobody made the land. No, nobody made his breeches—he meant no possessor of them. But he bought them and paid for them, and that was the kind of title which people had to their land—just the same title as they had to the clothes they wore. And in the same way one might go through every article of property which persons had a right to maintain as their own. It was a desirable thing that they should understand that that which was an attack upon one owner of property was an attack upon the owners of property all round. Let them not make the mistake of being divided and destroyed. Let the land-owner, the fund-owner, the owner of these interests in companies—City companies and other companies——whether they existed for the purpose of trade, or whether they existed for the purpose of science or entomology, or any other purpose whatever, he did not care—those which people had got together by their own exertions, and which had been devoted to objects which were not unlawful, they were their own, and let them stand by them. The City of London had exhibited a slight indication of leaning towards one particular party in politics in recent years, and if this had not been the case, they would probably have heard very little of these agitations. If the City Companies had always been faithful to one political belief, he thought they might have defied the assaults of the honourable and learned member for Chelsea. But they could not then have exhibited a determination to exercise their own judgment, and to maintain that which used to be considered one of the cardinal principles of Englishmen, that they had a right to their own opinions; and it was one of the cardinal opinions of the gospel of the future, that the triumphant political party, whichever it should be, should never forget or forgive what had been done against it; and that if they were driven out of power, they should take care that those who had assisted in driving them out of power should suffer for their wickedness in having exhibited that degree of independence. He was speaking in a hall which was, perhaps, not very old, but which represented those who had gone before for many centuries, and he could not forbear saying what he had said in defence of those who had as much right to retain their property and privileges as those great owners of either landed or funded property, against whom *at present* the crusade had not been preached. And he thought it was very significant of the attacks to which he was referring, that at present they did not find that there was any notion of distributing for the benefit of the poor the property which belonged, for instance, he would say, to the Reform Club. Suppose he were to enter into an inquiry as to the first principles upon which the Reform Club was founded, and ascertain whether those who belonged to it now were actually in harmony with those who founded it. It would be a very interesting inquiry; and suppose he entered upon it for the benefit of the poor. Well, he did not want to be uncharitable, but this was not the first time that those who did certain actions ostensibly for the benefit of the poor had been called to account. That they should take from one man what belonged to him and give it to another, because they did it for the good of the poor, was one of those very ingenious expedients which had from time to time, in the hands of novelists, served to excuse Robin Hood, Jack Shepperd, and other gentlemen known to fame; and he was afraid their careers were not followed by the applause of the listening country. They must recognize their own rights, and that was what he wanted to insist upon—and not only their own rights, but, standing shoulder to shoulder, they must resist this spirit of spoliation; they would thus succeed against those who were trafficking with the

Speech of Sir Hardinge Giffard.

Speech of Sir Hardinge Giffard.

passions of the multitude, not only for the benefit of the poor, but for the purpose of obtaining political power. If the Saddlers' Company and the other Companies, and all who were interested in maintaining the rights of property, would join together against a principle which would deprive every man of that which justly belonged to them, the country would be saved from a storm with which it was threatened, and they would be able to transmit to their successors and descendants that inheritance which the courage, the industry, the perseverance and the genius of those who had gone before had created for them, and they would not upon the miserable bribe to be allowed to retain it for their own lives, forfeit so great an inheritance."

The Merchant Taylors' bold remonstrance and dignified declaration of rights.

None of the Companies presented a bolder front to the Commission, or dealt in a more masterly way with the questions forming matters for inquiry, than did the Merchant Taylors. Messrs. Firth, Beale and Co., met with more than their match in Mr. Fenning, the honoured Master of this grand old Guild. In a statement given *in extensio* at page 265 in this volume, he denounces the whole gang in no measured terms, although at the time of its dictation Mr. Warr had not developed the conspiracy in all its wickedness. Mr. Fenning knew well the class of men who had so unceasingly slandered the Companies, and he spared them not. He refers to Mr. Beale as Firth's great oratorical lieutenant, and as having eulogized himself in these words: "I have lectured at all "the working-class clubs throughout the Metropolis for years past, and "in every case they universally assent to the ideas I have expressed."

Mr. Fenning, of Merchant Taylors', spirited address to the Royal Commission.

Mr. Fenning thus addressed the Commission:—The Royal Commissioners to inquire into the condition of Livery Companies having sent to the Merchant Taylors' Company, for their perusal, the evidence taken on the first eight days of their inquiry, the Company deem it to be their duty, no less than their right, to point out *substantial* mis-statements of fact, and erroneous conclusions drawn from them, which two of the witnesses have laid before the Commissioners.

The charges against the Company have not been stated with an explicitness such as might reasonably have been expected in so serious an inquiry, but they are to be found rather in a multitude of insinuations spread over some twenty pages, which, however, so far as they are capable of taking any form, seem to take the following:—

1. That the Merchant Taylors' Company have appropriated moneys of which they were trustees;
2. That they have also misconducted themselves in their capacities of landlords,
3. And as governors of their school; and this conduct is rendered all the more heinous, as in so acting they are doing violence to the rights of the London poor.

Each of these charges will be met and answered in turn. It may, however, be convenient here to dispose of the question whether the poor have any, and what, special claim on the funds of the Merchant Taylors' Company.

It is obvious that the purpose of some of the witnesses is to represent the Livery Companies as corporations created by the poor, and for the special benefit of the poor; as being the recipients of wealth accumulated from yearly contributions levied upon the poor freeman in former centuries. This representation, the Merchant Taylors' Company have here to submit, has *no* historical foundation. These guilds in their initiation were promoted, and during their continuance have been fostered, by the

middle as distinct from either of the other two classes; individual members may have ascended from a lower to a higher class in society, but the guilds themselves have continued to be, as they are now, middle-class institutions.

The only way in which the poor can now in any sense be said to be connected with this Company is as recipients of their bounty, and as enjoying the funds which have been accumulated heretofore by the middle as distinct from the poorer classes.

Their relations with the Company may be either those of beneficiaries of a trust created for them by men of the middle class, in which capacity they may be honestly said to have received the whole, if not more than the whole, of what is due to them; or they may be considered as the recipients of a bounty which the Company, in recognition of the duties of the rich towards the poor, have voluntarily and spontaneously made to them, but in neither case can these voluntary benefactions be allowed to ripen into a legal claim upon the funds of the Company.

As has been before stated, the allegation that the Company must be considered as the heirs of the accumulated contributions of the poor in former times has really no historic foundation. That the Company used, under the name of "quarterage," to levy contributions upon the whole of their members, including the freeman, who were generally of the poorer class, is perfectly true, as will be seen from the 13th Ordinance; but it is also equally certain, that so long as any portion of these contributions were so raised from the poor, the whole, and not only the proportionate part which had been derived from the freemen, was expended upon the poor; and so far from the Company being in possession of any accumulations derived from such a source, they are annually out of pocket by the transaction, as, while the wholesome custom of contribution has been discontinued, the Company's disbursements under this head continue.

Wealth, in the hands of a man or of a guild, may be coveted under the beneficent plea of using it for the alleviation of poorer men's burdens, but the security for property would be lost if poverty was a justifying plea for confiscation.

Mr. Beale speaks in a certain sense *ex cathedrâ;* he is, in the opinion of one at least of the Royal Commissioners, the leading author upon municipal matters, and, from his unique collection of literature upon the subject, he is not only justly thought to be in possession of the means of acquiring accurate information, but also, when he gives it, it is usually received as such: he lectures also to the working classes upon this subject; and as the audiences, he says, are crowded, and are reported by him to be so unanimous as to "assent universally to the ideas there expressed," it is a satisfaction to feel that, in stopping error here, it is stopped at the fountain-head.

In the second place, the Commissioners themselves appear to have accepted, to some extent, his assistance, if not guidance, by giving him peculiar facilities for prosecuting his inquiries into the affairs of the City Companies with a view to framing his indictment against them; and the man entrusted with such a task should be proved, not only to be honest, which, in Mr. Beale's case needs no demonstration, but accurate, which Mr. Beale certainly is not.

Matters introduced into the Commission Inquiry having reference to the several estates in Ire-

It is a natural sequence with any attacks on property that the Irish tenants of such Companies as hold the Irish estates should come before the Commission with statements and witnesses demonstrating that they should either have such lands presented to them, or that they should enjoy same at a nominal rent. A cloud of witnesses came over for the purpose, and it need hardly be stated all were ready with any amount of

land, the property of certain of the Companies. The using the occasion for an attempt to secure lowering of rents.

information on the subject. Clearing the fog away from this vast surrounding, it is simply that the enemies of the Companies endeavoured to show that their various estates in Ireland are Trust Estates, that the purchase-money was not taken from the funds of the various Companies, and also that the tenants have been rack-rented. These endeavours were each and all signally defeated before the Commission. The Salters' Company met the statements with a short but distinctively clear denial proof, thus: "The conveyance of the estate to the Companies was absolute and without any "covenant of trust. The Companies at first declined to have any dealing with the property, but were ultimately persuaded, by representations "on the part of the Government, that the undertaking would conduce to "their profit. There is no doubt but that the Companies provided all "the money; and the amount was raised, partly from their corporate "funds, and partly from loans from individual members of the Company. "These loans were in process of repayment from the corporate funds of "the Company several years afterwards. As to the estates being rack-"rented, the rents of the Salters' Company have always been in the "aggregate, under the Government valuation. Tenants' right interests "are readily saleable."

The Ironmongers' Company and its Irish estates.

The Ironmongers' Company, in common with each of the Companies who had ventured in these Irish holdings, made similar unmistakable showing. Every member of the Ironmongers' Company was "ordered to "pay his proportion, and further ordered that the proportions of those "unable to pay should be taken up at interest and the Company to bear "the same." "There is," adds the Ironmongers' Company in its admirably clear statement, "no evidence that money was raised from any but "members of such of the Companies as joined in the undertaking, and "the money so raised was paid, not to the Crown, but to the Chamberlain "of the City, for the purposes of the Plantation." The Ironmongers' Company moreover shows that on the 13th of September, 1615, a licence in mortmain was granted by James I. to the twelve Companies respecting their Irish estates, wherein one of the reasons for granting such licence is, "*That the Companies may in future reap some gain and benefit of "their great travails and expenses taken and bestowed thereon.*"

On the point of alleged hardships to the Companies' Irish tenantry, it is conclusively shown that there has been more than forbearance in every case, meeting with the usual result. The action of the Ironmongers' Company is identical with that of the other Companies with their Irish property holdings. The Company states that "In 1764, in consequence "of a report to the Company of the hardships with which the tithe was "exacted from free tenants, the Company redeemed it for 1115*l.*, and ex-"tinguished it solely in the tenants' interest." Moreover "The tenants "for many years were supplied by the Company with lime at a nominal "price, and with timber, slates, roofing and draining tiles, also with large "quantities of quick for fences, and young trees for shelter, besides grants "of money for iron gates and pumps; and the Company make a con-"siderable outlay on the construction and upkeep of roads, bridges, and "fences, altogether averaging upwards of 625*l.* a year, in addition to an "annual expenditure of 400*l.* on schools, churches, charities, and exhibi-"tions, and clergy of various denominations. The Company also sub-"scribed 200*l.* towards the preliminary expenses of the Derry Central "Railway, and guarantee 5*l.* per cent interest on 5000*l.* of the stock for "twenty-three years if necessary, and are now paying it, and they gave "the land required for the railway without charges, and this amounted to "forty acres."

The Salters' Company, as indeed every other of the Companies interested

in their Irish properties, are attacked as hard-hearted, grinding landlords, but with the same absence of justifiable cause. The Salters' Company show that their "rental for agricultural holdings is about ten per cent. "below the Government valuation; that they consider individual ap- "plications for relief, and determine such on their respective merits. This "decision has been acted on, and in several instances remission of rent "has been granted, and pecuniary assistance afforded to needy tenants."

The Salters' Company and its administration of properties in Ireland.

It is a pleasure to the writer of the Livery Companies' Vindication to embody in the volume the following admirable document from Sir T. J. Nelson, the City Solicitor, and which first appeared in the columns of the *City Press*:—

The City Solicitor, Sir T. J. Nelson, on the City Livery Companies.

I have occupied my leisure in making myself thoroughly acquainted with the contents of the first volume of the report of the Livery Companies' Commissioners, presented to Parliament last session. The questions involved in that report are of such vast interest to the citizens of London and the public generally that I may be of service in drawing attention to the subject.

The attack upon the Corporation of London and its property, as also upon the ancient guilds and their property, appears to emanate from three gentlemen—Mr. Beale, Mr. Firth, and Mr. J. R. Phillips, and they have for their common purpose the obtaining possession of the property of the City and of the Companies, and its application to other purposes than those to which it is now devoted.

In the prosecution of this design they have made the most groundless charges of dishonour and corruption against the Corporation of London and the Companies, and have disseminated this broadcast amongst the people, that a desire to plunder the Companies might be evoked and stimulated by indignation at their proceedings, and by the hope of obtaining possession of some of their wealth in the general scramble at its dispersion. Mr. Firth's contribution to this truthful literature is well known by his "Municipal London," and occasional letters to the public press. Mr. Beale has for years pandered to the worst passions of the masses in the columns of the *Weekly Dispatch* as "Nemesis," and as "Father Jean" in the *Echo*, and Mr. J. R. Phillips, who is now the police magistrate at West Ham, as "Censor" in the columns of the *Weekly Dispatch*, and also in magazine articles in the *British Quarterly*, and *Frazer*. These two latter gentlemen both appeared before the Commission "to support the views of Mr. Firth," and by one extract from the writings of one of the triumvirate, Mr. Phillips, the public shall judge whether I have overstated their proceedings. He says, "The conduct of the Companies has been such, in their trusts, as, if they had been private individuals, would have subjected them to be treated as criminals." This same gentleman, who is not a penniless adventurer, but a person of position, in his evidence before the Commissioners actually stated that the Companies had deliberately understated their incomes at 700,000*l.* a year, and that it ought to be 1,020,000*l.*, and that he had arrived at this result by an examination of the rate-books! When pressed by Sir Sydney Waterlow that the rate-books were no evidence whatever of what the income of property is to the freeholder, as nine-tenths or any other proportion may belong to the leaseholders, who may either have a term of years or a perpetually renewable lease—as in the case of much of the City estates—he had not the manliness to withdraw his offensive imputation upon the honour of men as respectable as himself.

What is the judgment of the Commissioners on these accusations?

The City Solicitor, Sir T. J. Nelson, on the City Livery Companies.

The majority are silent, but what do the minority say in their report? "3. It is only right we should state that if the inquiry in which we have been engaged is to be regarded as a proceeding between our colleague, the honourable and learned Member for Chelsea, acting as a Government prosecutor, and the Companies of the City of London, the prosecution has failed and the Companies have been successful. They easily defeated Mr. Firth as regards every part of the case set up by him in his work called "Municipal London," and a motion by Mr. Firth in favour of disestablishment and disendowing the Companies, was rejected in our deliberations by a majority of ten to two." The gentlemen who appeared before the Commission to support Mr. Firth's views were, in our opinion, examined by us *ultra vires*, as they could not be 'judged'—we say it with respect—to be 'competent by reason of their situation, knowledge, and experience, to afford correct information on the subjects of the inquiry,' within the meaning of the terms of your Majesty's Commission."

A severer condemnation of the three discomfited accusers could not proceed from the mouth of judges, and it should teach the public to receive with caution any further allegations proceeding from such unreliable sources. The dissentient Commissioners further say on the general subject: "We have thought it right to lay the above facts before your Majesty and before the public, because the position of the Companies of the City has been, in our opinion, greatly misunderstood, and because we conceive that the result of this inquiry has been to establish a moral no less than a clear legal right on the part of the bodies which have been the subject of it to be allowed to retain the complete control of their Corporate or private property." And, again, "their Corporate property is as much their own, and with as full a right of disposition in the eye of the law as that of any private individual; and the Crown has no more right to inquire into the mode in which it was acquired, and the way in which the income arising from it is spent, than it has to make similar inquiries with respect to the estate or income of a landed gentleman or merchant."

This report of the minority is so exhaustive, so complete, and so unanswerable a statement of the whole subject that it ought to be reproduced *in extenso*, and copies of it should be distributed broadcast throughout the land, so that the misstatements which have been so industriously made about the guilds may be corrected. It would, indeed, be a wise thing on the part of the Companies with their ample resources to apply part of them to the literary instruction of the masses. Nothing is easier than to appeal to human passions by attacking existing institutions in the columns of the cheap weekly newspapers which the working classes read on their leisure day, Sunday. Whether it be the Throne, the Church, the House of Lords, the Corporation, or the Companies, as long as you are not hampered by considerations of truthfulness, you can always make some running; Grub Street always exists. There ought to be an antidote provided for this, if the guilds value the continuance of their existence. They have an excellent case; no less a person than the highest legal authority in the kingdom, Earl Selborne, the Lord Chancellor, has told the Commissioners that the Companies "are absolute and perfect masters of their own property; in point of law the City Companies are absolutely entitled to their property in the same manner and as fully as a private owner would be, and under no trust whatever. They are ancient institutions, the funds which I call their own property were derived, as far as my knowledge extends, from their own subscriptions and gifts by their own members and others, intended to be for their absolute use, and, although I do not think the present generation ought

to put these gifts into their pockets, yet, on the other hand, I cannot admit for a moment that they are upon the footing of public trusts."

The City Solicitor, Sir T. J. Nelson, on the City Livery Companies.

This was but cold comfort for the Commissioners to hear from the head of the law, a member of the "Ministry of Destruction," which had issued the Commission, and so the Commissioners submitted a case to the very learned equity lawyers, Mr. Horace Davey, Q.C., M.P., and Mr. Vaughan Hawkins, and they put a subtle bait into their case, suggested by Mr. Beal, that the Companies' Charters might, perhaps, all be illegal and void, because they purported to create monopolies, and granted powers of search in violation of Magna Charta; but the learned counsel could not assist them to that ingenious method of extinguishing the Livery Companies. Indeed, I venture gravely to doubt whether any Charter contains powers that are illegal. Certain it is, that it appears in the records of my Company (the Weavers') that the Courts of this land upheld again and again their powers and control over the trade as long as silk weaving was a London industry, and these powers were renewed by Charter as late as the reign of Queen Anne. I have every respect for my contemporaries, but, to put it no higher, as good judges lived in times past as we have with us now. Mr. Horace Davey, indeed, who was called in "to curse, remained to bless." He told the Commissioners that in his "opinion the Commission will not be justified in recommending that the Corporate property of the Companies should be taken from them by the State. I think that such an act of the legislature would be an act of confiscation, and would not unreasonably shake the confidence of the owners of property in the security of rights of property. It must be remembered that the estates of these Companies have been recognized and held by the courts of law to be as much their property, with a full right of disposition, as the property of individuals." Who can doubt it? What did the owners of Doctors' Commons do with their property? What the owners of Serjeants' Inn with theirs? Can it be supposed that learned lawyers, including, in the latter case, all the common-law judges, would be parties to putting in their pockets the proceeds arising from the sale of property not their own? Yet in both these cases the property was sold and divided amongst the present life possessors, who must have taken out more than they put in, a precedent which the Lord Chancellor, as we have seen, entirely disapproves being followed by the Livery Companies. It is to be observed, in the case of both Doctors' Commons and Serjeants' Inn, the institution came to an end, not because there might not be further doctors of civil law and serjeants at law, but because the exclusive privileges of both had ceased.

Oddly enough, this same reason is put forward by Mr. Davey, and his advice is followed by the majority of the Commissioners in recommending that the greater part of the Companies' property should be taken from them; and Mr. Vaughan Hawkins, in support of his learned leader, says, "I should not recommend that the property of any person should be taken from them by the State, but the State may perhaps be justified in interfering when the law is defective to secure that property shall be applied to the purposes for which it is really intended." But that is just the question:—is the property of the Livery Companies applied to a purpose for which it was not intended? What do the dissenting Commissioners find as a fact on that subject? "We think that one of the results of this Commission has been to prove very clearly that for the last 400 years the Companies of London have been mainly what they are at the present day, viz. associations identified in name with trade and manufactures, but whose real objects have been rather hospitality and benevolence. They have certainly received Charter after

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Charter from your Majesty's royal predecessors at periods when such associations could not possibly have been called into existence for any other purposes." So that the Commission is actually deprived of any reason for its recommendations, and there remains the ugly fact that it is a pure case of proposed spoliation, or, as Sir F. Bramwell cleverly put it to Lord Coleridge, in answer to a question from his Lordship, whether he would maintain the same principles if the Companies owned half England: "It does not appear to me that the fact I have got something which is doubly coveted makes it doubly the property of somebody who would like to get it," and it is reduced after all to the naked question of coveting. Some of the Companies are rich, and their riches are coveted. The majority of the Commissioners, seeing no case had been established against the Companies, and feeling the pinch of the difficulty they were in, and the Duke of Bedford and the Earl of Derby, perhaps, having some doubt about the retention of their own vast estates, have actually taken refuge in the following reasons for their recommendation: "that the Companies were originally a municipal committee of trade and manufacture; that on their incorporation by the Plantagenet monarchs they became a State department for the superintendence of the trade and manufactures of London," of which proposition there is not a tittle of proof; and then comes this remarkable reason, "that it is not improbable that certain of the Companies' title deeds which were destroyed in the fire would, if preserved, have disclosed trusts." If we once give way to imagination, we may imagine anything, even to the extent that the Duke of Bedford holds the church lands of Woburn and Tavistock on a secret trust for the Church, and ought to account accordingly from the date of the dissolution of the monasteries. I cannot conceive that any one thing can condemn the proceedings of the majority of the Commissioners in the eyes of all reasoning and honest men, than such a suggestion as they have made about a lost trust. How Sir Sydney Waterlow, than whom no man assisted more by his questions and his knowledge (being himself a Stationer and a Clothworker) to bring out the truth, could have signed this report, and not that of the minority, will be a cause of inexplicable astonishment to all who will undergo the labour of reading the evidence, as I have done.

Lord Coleridge, indeed, seems to have a little reason of his own, and he puts this question (No. 117) to the first witness (Mr. Hare), one of the charity inspectors: "It is obvious to lawyers, and I have no doubt you will agree with me, that those Companies could not hold a shilling of property without the artificial aid of the law?" To which Mr. Hare, bowing at once to so great an authority as the Lord Chief Justice of England, answered without hesitation, "Certainly not." But the Lord Chief Justice, when approaching a still higher authority, the Lord Chancellor, is more guarded in his language, and, with the same sentiment evidently in his head, he says (1686): "I should like to ask the Lord Chancellor whether he draws any distinction between an ordinary natural person and a person like a corporation created by law?" To which the Lord Chancellor answers: "There is that distinction undoubtedly, and it is not very easy to measure precisely the influence it might have upon one's judgment; but I assume that Lord Coleridge would not be of opinion that if a club, for example, were incorporated, its nature would be substantially changed, or (I should think) that a joint stock company is to be regarded as public because it is incorporated." What is then the value of Lord Coleridge's suggestion that the holding of property by the Companies is protected by the artificial aid of the law? If he means State for law, that protection is common to all property, whether of

persons or of corporations; if he means that by being incorporated they can hold property directly in their own name, that is a small matter. How do the Freemasons hold their property, the clubs theirs, numberless religious, benevolent, and political associations theirs? In the names of trustees. Does the Commission suggest that the property should be taken away from these bodies because they are unincorporated? and, if not, is it a reason that it should be taken away from the Companies because they are incorporated? The Freemasons, indeed, may well tremble. They have as little to do with actual masonry as the Grocers' Company have with the trade whose name they bear; and if the cessation is good cause for annihilation in the one case, so it must be in the other. I have one comment more only to make upon the report of the majority of the Commission; they say, "that some of our number regard patrimony as an antiquated and unsatisfactory qualification for membership." Well, "antiquated" it certainly is; but it is to be hoped that that will be able to be said of it for all time. By this qualification the Earl of Derby, the Chairman of the Commission, succeeded to his estates; and there is only the difference between my succeeding to the Weavers' Company through my father, and Lord Derby succeeding to Knowsley and his father's vast estates at Liverpool, that I got a small part and he gets the whole. Unlike some noblemen on succeeding to their patrimonial estates, the Companies of the City of London have not squandered their inheritance, but it has been their pride and their praise to have fostered and increased it.

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Sir, I have occupied much of your space, but bear with me a little whilst I turn to the Companies. In one point only have they come worsted from the conflict—viz. their contention that they are not part of the City of London, and that the Corporation has no jurisdiction over them. The facts and the law were too strong for them. They are the planets, of which the Corporation is the sun, and without the sun they cannot exist. At one time they were absolutely the body politic, sharing with the Lord Mayor, the Aldermen and the Sheriffs, the rule of the City. The Charter of Edward II. prescribes that they "the commonalty," shall elect the Chamberlain, the Common Serjeant, the Town Clerk, the Bridgemaster, the ale conners, and the auditors. In comparatively modern times the Act of George I. restricted their elections to the Mayor, the Sheriffs, the Chamberlain, the Bridgemasters, and the auditors, but the elimination from this election of two of the officers of the City could not alter the fact that the Liverymen of the Companies alone are the "commonalty" who assemble in Common Hall. The ignorance about this is astonishing. One gentleman thought these proceedings in the Common Hall were only formal, like the *congé d'élire* to a dean and chapter to elect a bishop. Why, contests for Lord Mayor and for Sheriffs are not even now uncommon, and probably never will be, and the vote of the livery of these Companies is the all-important factor in the elections. And so as to the control over them. It is not technically that of the Corporation, but of the Court of Lord Mayor and Aldermen, who fulfil, in respect to the Companies, functions very analogous to those of a visitor of a college, a school, or a cathedral. That these powers have not been exercised lately is because no case for their exercise has arisen; but the Charters of Richard II. and Edward III., granted in Parliament, alike declare that the customs of the City shall not become obsolete for non-user—a principle the courts of law have always upheld, notably in the case of Mr. Scales, elected Alderman of the ward of Portsoken in 1834, and rejected by the Aldermen as unfit, though no such rejection had taken place for more than a century. That there has been much estrangement and soreness between the Companies

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and the Corporation cannot be denied. It arose from the Common Council in 1835 admitting persons to the freedom of the City without their entering, as had always been the case, through the avenue of a Company. But the Companies have flourished, notwithstanding this departure from ancient custom. They are now threatened by a common danger and a common enemy. Let them join shoulder to shoulder to resist and vanquish the foe. The Companies have done much for the public weal. The support of religion, of the poor, of schools, of hospitals, and their hospitality is unbounded. These claims will never cease; to that they have recently added another self-imposed duty, providing for technical education. There is yet one object to which their enemies point as a proper source for the employment of their wealth, if they obtain possession of it; let me, their friend, also point to it—the preservation of open spaces in the neighbourhood of London—a subject affecting the health and recreation of the inhabitants of this metropolis infinitely more than higher education—the knowledge of Greek and Latin—the fad of the day. If any of the Companies are minded to help in this direction, they have the means; and the Corporation have the power to hold these lands in mortmain and regulate their use; but their means are exhausted. The Companies can earn the gratitude of the present generation, as well as of posterity, by entering upon this new departure, and I can easily assist them to suitable objects for its application.[1]

I am, &c.,

HOMBURG, *Sept. 4th*, 1884. T. J. NELSON.

[1] It is something to have earned this praise from the Commissioners, "They may be said to have founded at their own expense the loyal province of Ulster, a service to the Crown perhaps without a parallel, except the service rendered by the Honourable the East India Company." Let them continue by their actions to be worthy of it.

CHAPTER X.

THE Companies evidencing before the Commission were the Grocers', the Drapers', the Goldsmiths', the Salters', the Ironmongers', the Clothworkers', the Apothecaries', the Needlemakers', and the Stationers'.

GROCERS' COMPANY.

Deputation from Grocers' Company.

On the 21st of February, 1883, the following gentlemen attended as a deputation from the Grocers' Company:—

The Master, Mr. J. T. Miller.

Second Warden, Mr. J. A. Kingdon.

Members of Court, Mr. W. T. Steinmitz and Mr. J. H. Warner.

Clerk, Mr. W. Ruck.

LORD DERBY, the Chairman, addressing the Master, said:—I understand that you have come prepared to lay before the Commission a statement of various points to which you wish to call their attention?

The MASTER: That is so, my Lord. We have already sent in, as we think, a complete return to your questions, but we have understood that the Commissioners wish to acquire a general knowledge of the leading facts connected with the Company, and this statement has been drawn up for their convenience.

LORD DERBY: And I understood that you proposed to read it?

The MASTER: That is so.

LORD DERBY: We shall be very glad to hear it.

A.—The Grocers' Company have already, under protest, replied promptly and fully to the inquiries of the City of London Livery Companies' Commission, and in responding to the invitation addressed to them to offer statements and oral evidence, they are anxious to give the Commission all the information and assistance in their power. At the same time the Company respectfully submit that this action on their part shall not be considered as an admission in any sense of any special jurisdiction of the Crown over the Livery Companies, or of the right of the Crown, without the authority of Parliament, to institute an inquiry into what has been judicially declared to be private property.

In 1833 the Company declined to appear before the Royal Commission appointed to inquire into the Municipal Corporations of England and Wales. They could not, as they thought, appear without admitting themselves to be a municipal corporation, and the Companies were advised that they were not municipal corporations by the most eminent counsel.[1] Moreover, the Royal Commission in that case purported to

[1] Among others, Sir W. Follett, Sir J. Scarlett, and Chief Baron Pollock. The following was the opinion of Chief Baron Pollock, then a leading member of the bar:—

"I am of opinion that the authority purporting to be given (to the Commission), of calling for all charters and papers, is not legal: nor am I aware that the Crown can

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give power to call for papers, to compel the attendance of witnesses, and to administer an oath; and it was believed that such powers were illegal and unconstitutional. No such powers are conferred on the present Commission.

The Grocers' Company hold the second place among the twelve great Companies of the City of London. The Commissioners are aware that the senior Company, the Mercers', have declined to avail themselves of the opportunity of offering oral evidence; and it is proposed, with the leave of the Commission and of the Mercers' Company, which has been obtained for the purpose, to read the letter addressed by that Company to the Commission on this subject:—

"Mercers' Hall, E.C.,
"14*th December*, 1882.

"Sir,—In reply to your communication of the 10th ultimo, I am desired by the Mercers' Company to thank her Majesty's Commissioners for their courtesy in supplying the Company with copies of the statements made to them.

"The inaccuracy of many of these is, no doubt, mainly attributable to an imperfect acquaintance on the part of their authors with the early history of the City Guilds. So far as regards the Mercers' Company this defect is remedied by the series of facts which the Company had the honour to lay before her Majesty's Commissioners in the first fifteen pages of Return A, Part 1, of their answers.

"The facts there set forth have been collected and arranged at the expense of a great deal of labour, in the desire entertained by the Company to furnish all the information that can be gathered on the subject. They extend (as the Commissioners will have remarked) over a period of more than 700 years, and it would scarcely be possible, the Company believe, to throw additional light on the matter. But if the Commissioners would have the goodness to point out any particular with regard to which they feel a doubt, the Company will give their best endeavours to remove any ambiguity.

"In the statement prefixed to the returns of the Company to the questions of the Commissioners, the views entertained by the Company with regard to the tenure on which they hold their property were distinctly stated. Those views remain unchanged; and the Company are glad to find that they have incidentally received an unqualified confirmation in the oral testimony of a legal authority of the highest rank before the Commissioners.

"As regards the mode in which the Company's income is expended, the Company trust that the same sense of the duties attaching to the possession of property which has hitherto guided them in the administration of their own, will continue to do so; and they venture to think that in this respect they have no reason to fear a comparison with the most

confer upon the Commissioners any means of compelling the attendance of witnesses or the production of papers. I think the Grocers' Company is not a Municipal Corporation; it has nothing to do directly with the government or protection of any city, town, or place; and I think the influence of its proceedings upon the election of either the magistrates or the members of the City of London does not make it a Municipal Corporation.

"I think the Grocers' Company are not bound to comply with any of the requisitions, or to answer any of the inquiries, that have been sent to them by the Commissioners.

"And I am of opinion that the Commissioners have no power of commitment or of proceeding by attachment.

"Fred. Pollock.

"Temple, 16*th November*, 1883."

liberal among the wealthy gentry and nobility of the realm. But, considering this point to be one affecting themselves only, they decline to notice either the censure or the commendation which may have been expressed by others in reference to it. Deputation from Grocers' Company.

"While gratefully acknowledging, therefore, the courtesy of her Majesty's Commissioners in offering 'to receive statements and to hear evidence on behalf of the Company,' I am desired to say that any action thereupon on the part of the Company appears to them superfluous, and that they are unwilling to encroach further on the time of the Commissioners.

"I am, sir,
"Your obedient servant,
"(Signed) JOHN WATNEY.

"H. D. Warr, Esq.,
"2, Victoria Street, Westminster, S.W."

To the views expressed generally in this letter the Grocers' Company adhere. The statement of the law made before the Commission by the highest legal authority in the kingdom is supported by the judicial declaration of Lord Langdale, M.R.,[1] and is consistent with the uniform practice of the Company.[2]

The Grocers' Company also concur in the opinion of the Mercers' Company, that the inaccuracy of many of the statements made before the Commission is mainly attributable to an imperfect acquaintance on the part of the witnesses with the early history, and, it may be added, the present management of the City Guilds. The Court of the Grocers' Company feel that, after furnishing complete returns, they might safely have left these misstatements to the judgment of the Commissioners; but the investigation must have thrown much additional labour on the Commission, and the object of the present statement is to present the case of the Grocers' Company in as concise a form as the subject will admit, without too much detail or legal technicality, and with references to various erroneous views which have been put forward either in books or in the oral evidence given before the Commission. Ans. 1680—1686, 1695.

As the Commission began their oral evidence by examining members and officials of the Charity Commission, it is proposed to take, first, the subject of the Company's charities; secondly, to deal with the origin and history and constitution of the Company; and, lastly, with its present administration and the application of its income.

PART I.—THE CHARITIES OF THE COMPANY.

By the Company's charities are meant the sums of money which the Company is legally bound to apply for charitable purposes, and of which a return is made every year to the Charity Commissioners.

[1] *See* the case of the Attorney-General *v.* the Grocers' Company, reported in the sixth volume of Mr. Beavan's "Reports," p. 526. The Master of the Rolls says (p. 550), speaking of the surplus revenue under Sir Wm. Laxton's devise:—"This "revenue, according to the construction which it appears to me ought to be put on "this codicil, belongs as private property to the Company." The same observation would apply to other estates devised to the Company in terms similar in effect to those used by Sir Wm. Laxton, and still more strongly to estates devised to the Company absolutely without any condition, trust, or charge, or purchased, as in the case of the site of the hall and garden, by free subscription among the members of the fraternity.

[2] The Company's records show that from the middle of the 16th century to the present time they have from time to time sold and made a title to lands and other property, part of their corporate estate, as being absolute owners and without the intervention of the Court of Chancery. Probably the earliest recorded instance is in the year 1531; the latest, the sale of the Company's Irish estate in 1876.

Deputation from Grocers' Company.

In the case of the Grocers' Company, these charities bear a very small proportion to the corporate income. They are set out in detail in the returns (pages 19, 20), and consist of two classes: (1) a number of small payments charged on property of the Company for the benefit of various parishes, hospitals, colleges, and similar objects. These amount altogether to 315*l.* a year, and are simply paid over by the Company to the authorities legally entitled to receive them, and the Company are not responsible for the application; (2) charities under the management of the Company itself. A considerable part of these have been appropriated by a Middle Class School Scheme. Those which remain amount to 433*l.* a year,[1] and a capital sum of about 4700*l.*[2]

The Commission may, perhaps, think it right to consider how far these charities are safe in the hands of the Company. On this subject important evidence was given by Mr. Hare, in his report to the Charity Commissioners in 1863, after an inquiry into the condition and circumstances of the charities under the management of the Grocers' Company. The following is an extract from the report:—

"The Grocers' Company decline to exhibit any statement of their property not specifically charged by the respective founders of the charities. It has not been an uncommon circumstance in the case of the other City Companies that charitable funds given them are not found at present set apart in any definite form of investment, whilst the Company generally admit their liability and pay the interest or dividends from their general property. There can be no doubt that in the case of these ancient, wealthy, and liberal bodies the funds are practically secure."

In illustration of Mr. Hare's opinion, it may be mentioned that the Grocers' Company are legally bound to expend 300*l.* a year on the school and almshouses at Oundle. The rest of the income, under Sir W. Laxton's will, about 4000*l.* a year, belongs to the Company, by Lord Langdale's decision, as their private property. But the Company actually expend upwards of 3000*l.* a year on the school, and about 300*l.* a year on the almshouses; and have, within the last eight years, laid out 28,000*l.* on school buildings, masters' houses, and playgrounds.

In the case of Witney School there is no beneficial gift at all to the Company; but the Company gives considerable help from their corporate funds. Thus, in 1877, the Company gave 433*l.*, and in 1878, 862*l.* In the case of Colwall School the Company is bound to pay 30*l.* a year, and actually expends upwards of 250*l.* There does not appear to be any beneficial gift.

In the case of the University Exhibitions the Company are bound to apply 40*l.* a year out of the income of the property, which now amounts to 670*l.* The Company actually give 575*l.* a year, exclusive of exhibitions from Oundle School. They are also maturing a scheme, with the advice of some of the most eminent scientific men of the day, for the endowment of original research in sanitary science. This will increase the expenditure under the head of exhibitions by 750*l.* a year, besides a quadrennial discovery prize of 1000*l.*

These facts will probably satisfy the Commission that the charities of the Grocers' Company are, as Mr. Hare says, practically secure. It might be added that on more than one occasion, when the Company

[1] The following is a list of these charities:—
(*a*) 300*l.* a year for a school and almshouses at Oundle in Northamptonshire.
(*b*) 63*l.* a year for a school at Witney in Oxfordshire.
(*c*) 30*l.* a year for a school at Colwall in Herefordshire.
(*d*) 40*l.* a year for University exhibitions.

[2] A capital sum of 4656*l.* 10*s.*, held under Lady Slaney's will for the purchase of donative benefices.

contemplated large expenditure on their schools at Oundle or Witney, they applied to the Endowed Schools' Commissioners for a scheme, and in each case the Commissioners, influenced no doubt by the smallness of the endowment, preferred to leave the school in the management of the Company. Deputation from Grocers' Company.

All the remaining charities of the Company were redeemed some years ago under the voluntary powers of the Endowed Schools Act, 1869, and the proceeds applied under the authority of a scheme in the building of a large Middle Class School at Hackney Downs. The date of the scheme is the 24th of March, 1873, and it was the first scheme of any importance framed under the voluntary powers of the Endowed Schools Act. The Endowed Schools' Commissioners expressly thanked the Company for setting what the Commissioners termed so good an example.

Mr. Hare in his evidence says he does not know of any City Company having applied for a scheme, and that the City Companies are not likely to apply for schemes. It is singular that he should be ignorant of the first, and certainly one of the most important cases in which the voluntary powers of the Endowed Schools Act were put in force. The reason probably is, that Mr. Hare is an official of the Charity Commission, and that he is not thoroughly acquainted with the proceedings of the Endowed Schools' Commission, to whose functions the Charity Commissioners succeeded in 1875. Mr. Hare's evidence on this point shows how easily witnesses, with the best intentions, may give a wrong impression as to facts. Mr. Longley also seems to have been unaware of the circumstances; no doubt for the same reason as Mr. Hare. Ans. 44. Ans. 466.

The capital value of the Company's non-educational charities appropriated under the Middle Class School Scheme was 27,000*l.* To this the Company have added upwards of 5000*l.* out of their corporate funds, and a large and flourishing school has been established at Hackney Downs, the district selected by the Endowed Schools' Commissioners; but the scheme fixes the tuition fees too low, and the Company now makes good the loss on the working of the school, which amounts to about 1500*l.* a year.

Among the non-educational charities of the Company, appropriated by the Middle Class School Scheme, is Lady Middleton's gift of 20*l.* a year for necessitous clergymen's widows. The Company, with a desire to respect and carry out the wishes of the founder, where this can be usefully done, even though the charity has ceased to exist legally, perpetuate the name and wishes of Lady Middleton by now giving between 700*l.* and 800*l.* a year for the purposes she contemplated.

The recipients of the gift are carefully selected. The old ladies who are successful candidates are invited to the hall, courteously received, and entertained at luncheon. Every effort is made to render the gift as welcome to the recipients as the act of giving is to the master and wardens who distribute the Company's bounty.

Connected with the question of the Middle Class School is a subject on which a grave attack has been made upon the Grocers' Company by Mr. Beale in his oral evidence; and the Commissioners could not have a better instance of the worthlessness of some of the charges made against the Companies. The case is this:—Among the charities appropriated by the Grocers' Company's Middle Class School Scheme, which has the force of an Act of Parliament, was a yearly sum of 9*l.* 2*s.* payable to seven poor members of the Company, and charged upon the lands and houses devised to the Company by Sir Henry Kebyll.

As to this Mr. Beale says:—

"The return of Keble's Charity is 9*l.* 2*s.* per annum; I turn from Ans. 537.

Deputation from Grocers' Company.

that to Herbert's 'Twelve Great Companies' for his evidence of Keble's Trust, and I find that includes a mansion in Old Jewry and houses behind, in Grocers' Hall Court; the site of Grocers' Hall itself was part of Prince's Street behind, and part of the present Bank of England. I

Ans. 654.

put that modestly at 25,000*l.* a year, and it is returned at 9*l.* 2*s.*" Again, "In so far as I have attacked the honour of the Grocers' Company, it was upon the ground that they returned the 9*l.* 2*s.* only; they

Ans. 660.

never said there was a return of 20,000*l.* behind it. This 9*l.* 2*s.* was the income from six cottages and gardens and yards somewhere about the year 1500. The entire income was given to be divided in certain ways; then I say, as a matter of law, that every shilling of that property, to

Ans. 904, 906.

whatever it may amount, must be used for the same purposes. Keble's case I take to be a sort of test;" and "if we had these gentlemen here, and asked them questions about it, we should change the face of these returns."

It will be observed that Mr. Beale makes two distinct charges against the Company; one, of making a false return by not including the site of Grocers' Hall in the property devised by Sir H. Kebyll's will; the other, of committing a breach of trust in not treating the whole income of the property as applicable to trust purposes. Mr. Beale makes his charges plainly and confidently; he affects to regard the case of Kebyll's will as a sort of test by which the Company is to be tried, and he does not scruple to say, when pressed, that the Charity Commissioners were

Ans. 910.

certainly wrong when they took the same view as the Grocers' Company as to the legal obligation to pay the 9*l.* 2*s.* only.

These statements of Mr. Beale have induced the Company to institute a very careful investigation of the subject, and the result of this investigation is to confirm in every respect the accuracy of the Company's returns. The property devised by Kebyll's will is described with considerable minuteness, and can all be identified, and it seems as certain as anything can be, at this distance of time, that the will in no way refers to Grocers' Hall or its site.[1]

Mr. Beale's mistake is, however, a very old one. In the year 1686, when the Company were insolvent, and unable to pay their charities, they applied for an inquisition of charitable uses, with the sole object

[1] Alderman Sir H. Kebyll, citizen and grocer, made two wills. One of these, now at Somerset House, does not affect the present question. The other, which relates solely to property previously conveyed to the testator by the Grocers' Company, cannot be found, but the Company possess a very ancient copy of it, made apparently in 1524. Sir H. Kebyll devised the following property to the Company:—

(*a*) Two houses in Lawrence Lane in the ward of Westcheap. This lane is far to the west of Grocers' Hall. There is no entry with respect to these houses in the Company's books after 1549. They were probably sold in 1550 or 1551, for which years the records are missing.

(*b*) Two houses, with the gardens adjoining, in the Brode Alley in the parish of St. Margaret, Lothbury. This property was sold to the Founders' Company in 1531.

(*c*) The advowson of St. Stephen, Walbrook.

(*d*) The great messuage in Broad Street, devised to the Company by the will of Nicolas Alwyn. This is the Warnford Court property.

(*e*) A piece of vacant land with stables in the Old Jewry. This is the property No. 8, Old Jewry.

It is remarkable that, according to the recitals in the will, the whole of the property devised by it had been originally property of the Company, and had been conveyed by the Company to Kebyll, who was a member of the Court of Assistants. He recites the various conveyances, but in the case of the Old Jewry property only does he say that any consideration passed. With reference to that property he expressly says it was conveyed to him for "a competent sum of money." There is therefore some reason for supposing that the only beneficial interest which passed to the Company under the will was in the Old Jewry property, and if so the Company have returned too much property instead of too little.

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of charging the whole of the Company's charities on the whole of the Company's property. For this purpose the Company's property was scheduled, probably very hurriedly, and under the head of Sir H. Kebyll's will was put—

"A messuage in the Old Jewry, then in possession of Sir Robert Clayton, a messuage then called Grocers' Hall, near the Poultry, in the possession of Sir Robert Jeffery, Lord Mayor of London, and a messuage, then several small messuages, in the parish of St. Peter's Poore."

The report of the Commissioners for inquiring concerning charities, appointed by Parliament in 1818, quotes the will correctly, but also quotes the description given in the Inquisition, and this description was afterwards transferred verbatim to Herbert's book, which Mr. Beale quotes as his authority.

But if there is some excuse for Mr. Beale's mistake as to the property comprised in Sir H. Kebyll's will, there is no excuse at all for his statement that the entire income of the property devised by the will was specifically appropriated.

Sir H. Kebyll's devise to the Company was to the intent, and under the manner, form, and condition, that the Company should with the rents provide a chaplain, pay 6*d.* a week to seven poor freemen, and keep a yearly obit, with a gift over if the Company should make default. It is precisely the case put by Lord Cairns in his judgment in the Wax Chandlers' case, stated fully in the Appendix to Mr. Longley's evidence. It is a devise upon condition. The devise is accepted, the condition must be fulfilled, and the money must be paid, whether the land devised is or is not adequate to meet the payment. The land is the land of the devisee, and every accretion to the value of the land belongs to the devisee. The charity which has the benefit of the condition has a right to nothing more than the payment. The same principle had been previously laid down by other eminent judges, among them Lord Eldon,[1] Lord Brougham,[2] Sir John Leach,[3] and Lord Cottenham.[4] But the present case does not depend only on a rule of law, however well established. There is also a gift over, which shows that the testator himself distinctly contemplated giving a beneficial interest to the devisee on whom he imposed the condition.[5]

[1] Attorney-General *v.* Mayor of Bristol, 2 Jacob and Walker, 294.
[2] Attorney-General *v.* Smythies, 2 Russell and Mylne, 717.
[3] Attorney-General *v.* Cordwainers' Company, 3 Mylne and Keen, 534.
[4] Attorney-General *v.* Fishmongers' Company, 5 Mylne and Craig, 11.
[5] For the more complete satisfaction of the Commissioners on this important point the Company have recently laid before Mr. Horace Davey, Q.C., a copy of Sir H. Kebyll's will with a request to him to advise what interest the Company took under it. Mr. Davey's opinion is as follows: "I am of opinion that, according to the "true construction of Kebyll's will, the Company was entitled to the surplus and "increased rents, after providing for the charitable payments, beneficially. It will "further be observed that the greater number of the charitable purposes are super-"stitious uses within the meaning of the Act of Henry VIII. and Edward VI., and it "is probable that they became forfeited to the Crown and were redeemed under the "Act of 4 James I., in which case, I believe, it is always considered that the Companies "reacquired the lands for their own benefit."

Mr. Davey probably had in his mind the case of the Attorney-General *v.* the Fishmongers' Company (Preston's will), 5 Mylne and Craig, 16. Some of the observations of Lord Chancellor Cottenham in his judgment seem very pertinent to such charges as Mr. Beale has made against the Grocers' Company. The Lord Chancellor says (p. 25):—

"This probable ground of title, coupled with the 400 years' enjoyment, would, of itself, have been an answer to the claim made by the information. In this case, it is unnecessary to pursue that point further, as this additional ground is not required to support the decree of the Master of the Rolls, which I now affirm, and dismiss the appeal with costs; but I cannot part with this case without expressing my regret that this proceeding should have been instituted without that ordinary degree of considera-

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It is perhaps no exaggeration to say that Mr. Beale has, in connection with Sir H. Kebyll's will, charged the Grocers' Company with something like fraud, and the Charity Commissioners [1] with almost culpable ignorance or negligence. Not only are these grave and offensive charges altogether unfounded, but there is considerable reason to suppose that Mr. Beale has never even seen a copy of the will on which he has based them.

Mr. Firth, in his book "Municipal London," attacks the Grocers' Company in much the same way as Mr. Beale does. He says (page 79), "It is not without a certain aptitude that one recognizes the motto of the "Company, 'God grant grace.' It would have been interesting to know "how the graceless grocers do dispense their vast trust property. For "example, in 1636 one William Pennefather by his will gave 233*l.* 6*s.* 8*d.* "to buy land of the yearly value of 11*l.* 13*s.* 4*d.*, such sum to be "divided yearly amongst seven poor almspeople. How much does the "land bring in, and how much is paid over? So a house given to the "same Company to provide 4*l.* a year for an iron and glass lantern to be "fixed in Billingsgate, and 6*l.* 10*s.* to the poor. If the house brings in "(as it probably does) 300*l.* a year, how much is given to the poor?"

Without saying anything as to the taste in which this passage is written, it will probably be sufficient to observe that the 233*l.* 6*s.* 8*d.* given by Pennefather's will was never invested in land, and that the yearly sum of 11*l.* 13*s.* 4*d.*, intended by the will to be secured, and the capital value of the house in Walbrook (176*l.* a year), devised by John Wardall, were appropriated by the Middle Class School Scheme.[2] But the Commissioners will not of course assume, because the Company assented to the appropriation to the purposes of middle class education of the charities created for the benefit of poor members of the Company by Sir H. Kebyll, Pennefather, and Wardall, that there is any desire on their part to neglect their duty towards the poorer brethren of the fraternity. The Company have always considered their whole corporate property as applicable to the relief of their poor members, not as of right, but at the discretion of the Court. The obligation to relieve unfortunate members dates from the earliest ordinances of the brotherhood, as far back as 1345, and it has always been observed. All applications from poor members are

tion and research, which, if exercised, must have satisfied the relators that there was no foundation for the case attempted to be made.

"The title to property, after an enjoyment of 400 years, is questioned, and great trouble and expense necessarily occasioned to the owners, upon some expressions found in a will of the year 1434, which even a slight attention to the history of the time, the then state of the law, and the transactions relating to the property (which the relators do not appear to have taken any pains to ascertain), would have shown to be wholly unavailing for the purpose of supporting the claim made.

"The loss which this attempt will occasion to the relators is no compensation for the injury which it has occasioned to the defendants, from which I regret the inability of the court to relieve them, beyond the costs of the suit, given by the decree of the Master of the Rolls, and the costs of the appeal, which I now order the relators to pay."

[1] Mr. Beale refers to the Charity Commissioners; it would have been more correct to have said the Endowed Schools' Commissioners, whose functions were not transferred to the Charity Commissioners till after the scheme in question had become law.

[2] There are two other cases of money having been left to the Company to be invested in land, Walwyn's will in 1612 and Robinson's will in 1633, and these are very properly mentioned in the Appendix to Mr. Lucraft's evidence, but he too is wrong in saying that the Company claim any benefit from the increased value. It seems to have been assumed by the Company in these cases that there was a power to invest in land, not an obligation to do so. The charities might no doubt have been benefited by the increased value of the land, if the investment in land had been made; on the other hand, the lands might have been lost altogether after the Great Fire. These charities were all for the Company's poor members, and any possible increase of value is much more than covered by the Company's expenditure for this purpose.

carefully inquired into, either by the Court of Assistants or by the master and wardens, and are dealt with on their merits, with a view to give liberal aid to the deserving, and to avoid anything like a system of doles. The expenditure of the Company under this head is about 4000*l.* a year, upwards of ten times the amount which, if the Middle Class School Scheme had not become law, the Company would have been legally bound to pay. Nothing could be more baseless than the imputation made by Mr. Firth on this subject. Deputation from Grocers' Company

The general charities of the Company are dealt with in a subsequent part of this paper.

Part II.—The Origin, History, and Constitution of the Company.

The first mention of the Guild of Pepperers is in 1180. The Pepperers of Soper's Lane, and the Spicers of Cheap, in the 13th and first half of the 14th centuries, represented the English element in London trade with the East, just as the terms "Brethren of St. Anthony," "Merchants of the Steelyard," and "Easterlings"[1] point to a foreign element. These merchants imported eastern products, practised the arts of coining and weighing, and to some extent banking.

As instances of the importance of the Pepperers it may be noticed that, in 1221, Andrew Bokerell, a Pepperer, was keeper of the "King's Exchange." His duty was to receive old stamps or coining irons, and deliver new ones to all the mints in England. He was Lord Mayor for seven consecutive years, 1231—1237. Also, that at the beginning of the reign of Edward III., 1328, while the commonalty of the City elected the custodian of the small beam, by which silks and other speciaria were weighed by the *peso sottile*, or pound of twelve ounces, the Pepperers and their trade allies, who weighed by avoirdupois, elected the keeper of the great beam of the king, at which the *peso grosso*, or merchants' pound of fifteen ounces, was used.

The Pepperers were also correspondents of the Italian bankers and merchants of Siena, Lucca, and Florence, and were probably concerned with the transmission of Papal revenues collected in England by the Pope's instruments, the preaching and begging friars. The Eastern trade also brought Lombard merchants to London, and by the year 1250 these merchants were firmly established in Lombard Street, to which they gave its name. In 1338 Edward III., being in urgent need of money for his wars in France, extorted a large loan from the Lombards within his dominions. This eventually caused the ruin of the Italian merchants of Lombard Street. The greatest of them, the Bardi and Peruzzi, held out to the last, and failed in January, 1345. This was a very severe blow to the Pepperers and their allies in trade with the East; and from this time the name Pepperers ceases to be distinctive of a guild; but on the 9th of May in the same year some twenty Pepperers of Soper's Lane "of good condition," undaunted by their trade reverses, met to continue

[1] St. Anthony was the founder of lay monastic orders. His disciples earned their own living as traders. They extended their trading establishments from Egypt and Constantinople through Lombardy and Gaul to England, and there is reason to believe that the quay or wharf, known in later times as the steelyard, was originally a monastery of the lay monks of St. Anthony, and that those monks are meant by the term "Merchants of the Steelyard." These merchants of the steelyard paid toll to the king in kind, the toll being a certain quantity of pepper. They are also called "Easterlings," which is clearly a form of the word oesterlich, and probably meant "Men of the East," or "Men of the Eastern Emperor," i.e. the Emperor of Constantinople. The Easterlings introduced improvements in coining from Constantinople, and gave their name to the new "sterling" money first made in England, A.D. 1180, to take the place of the debased currency, just as the florin of gold was so called from the Florentines who introduced it.

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their connection as the social and religious fraternity of St. Anthony, and adopted St. Anthony as their patron saint. The records of the Grocers' Company begin with a very ancient and probably almost contemporaneous account of this meeting. The actual record is now being reproduced in *facsimile*, and, it is hoped, will soon be ready for presentation to the Commission. Nothing can be more quaint or circumstantial than this narrative of the proceedings of the twenty Pepperers; and their ordinances, "pointz," as they are called, have been happily preserved to us. These ordinances show that the objects of the fraternity were social, benevolent, and religious, "for greater love and unity," and "to maintain and assist "one another."[1]

Mr. Firth, in his work on "Municipal London," page 47, refers to the origin of the Grocers' Company as described in "Herbert on London "Livery Companies," and continues: "So amid prayer and feasting "began the Grocers' Company, and, as it had begun, so it prospered, till "in the zenith of its power as many as sixteen aldermen of the City "were inscribed on its roll of members at the same time . . . . And the "origin of the Grocers' was typical of that of many other Companies. "Every member of the Company was engaged in its trade, and had its "interests at heart; he subscribed his quarterage regularly to the "common fund; he was coequal with all other members of his Com-"pany; he helped to regulate and control its expenditure; he had relief "in case of necessity; and, if he died in poverty, he was followed to the "grave and buried by the brotherhood, and the Company's private "chaplain publicly prayed for the repose of his soul."

Mr. Firth follows Herbert's work, published in 1837. Herbert simply copied the first edition of Baron Heath's excellent "History of the "Grocers' Company," published in 1829. Subsequent investigations have shown that the Grocers' Company was not a craft guild at all; that the first and crucial test of such a guild, that all members should be engaged in its trade, was not a rule of the Fraternity of St. Anthony or of the Grocers' Company, and that the institution of the fraternity or Company was that of a social or religious guild.

It is true that the ordinances of the fraternity of 1345 provide that no person should be a member of the fraternity if not of good condition and of this mistery, that is, a Pepperer of Soper's Lane, a Canevacer of the Ropery, or a Spicer of the Ward of Cheap,[2] or other people of their mistery[3] wherever they reside; but only three years later Sir John de Londre, parson of St. Anthony, was admitted a member, though presumably not of the craft; so, in 1348, were Sir John de Hichan, parson of St. Anthony, and Sir Simon de Wy, parson of Bernes.

The ordinances of the Grocers' Company of 1376 expressly ordain that no one of any other mistery shall be admitted into the Company without the common assent, and should pay for his entry 10*l*. This clearly points to a practice of admitting non-craftsmen, and, combined with the custom of freedom by patrimony and by redemption, which began

[1] The original record gives the names of twenty-two founders, but two of these were dead before the first meeting, and this is stated. The names were no doubt inserted on the application of their relatives or executors, with a view to their having the benefit of prayers for their souls. This clearly points to the religious element of the fraternity.

[2] The words are "Poyverer de Soper's Lane, Canevacer de Roperie ou Espicer de Chepe." In Baron Heath's "History of the Grocers' Company" and the Company's Returns the words "Canevacer de Roperie" have been inadvertently omitted.

[3] "Mistery," according to the best opinions, means simply "business." It is *ministerium*, not *mysterium*. The author of "Municipal London" makes an unnecessary "mystery" about this in his note on page 57.

about 1460, proves, as far as proof is possible in such a case, that the Company was not an exclusive or craft guild. There was, in fact, no "craft." We know that as early as 1363 complaint was made to the king and Parliament that the merchants called Grocers (Grossers) engrossed all manner of merchandise vendible;[1] that is to say, they were general merchants; and a "craft" of general merchants seems almost impossible at a time when every calling, trade, or handicraft was minutely defined and regulated. Deputation from Grocers' Company.

In the leading work on the subject of English guilds,[2] they are distinguished as (1) religious or social guilds, (2) town guilds or guild merchants, and (3) craft guilds. Of these the most ancient form is the religious or social guild. The statutes of one of them, the Guild of Abbotsbury, drawn up as early as the beginning of the eleventh century, actually remain. The object of that guild, according to the statutes, appears to have been the support and nursing of guild brothers; the burial of the dead and the performance of religious services, and the saying of prayers for their souls; a yearly meeting for united worship in honour of the patron saint; a common meal, and, in order that the poor might also have their share in the joys of the festival, alms on the day of the feast. Insults offered by one brother to another were punished on the part of the guild. He who had undertaken an office, but had not discharged its duties, was punished.

It is remarkable how closely these guild statutes agree with the ordinances of the Fraternity of St. Anthony of 1345 and the ordinances of the Grocers' Company of 1376. The same kind of religious and social duties are enjoined, and, making due allowance for the interval of three centuries, in similar terms. The modern representatives of this class of guilds are, it is believed, to be found only among the City Companies, which, owing probably to the commercial and municipal eminence of their members, survived the violent changes of the Reformation, when all other guilds of this class perished.

Of the other forms of "guilds," the learned authors of "English Guilds" tell us that the town guild or guild merchant was the whole body of full citizens, that is, of the possessors of portions of the town lands of a certain value, the "civitas." This, after many changes, has become the modern municipal Corporation. The third form of "guild" was the craft guild. These guilds were originally the result of a struggle for independence on the part of the handicraftsmen. The leaders in this struggle were the weavers both in England and on the Continent. The contest of the Weavers' Guild with the City of London from the time of King John to 1220 is an example of this, and the craftsmen appear to have been ultimately victorious. It was of the essence of a craft guild that all men of the craft, and none but men of the craft, should belong to it. The modern form of the craft guild is the trade union.

The term "Grosser" or "Grocer" is first applied to the Company in 1373. There is a break in the Company's records between 1357 and 1373. When they recommence in the latter year, the title "Fraternity of St. Anthony" is dropped, and the Company of Grossers or Grocers takes its place.[3]

[1] "Les marchantz nomez Grossers engrossent toutes maneres de marchandises vendables."

[2] "English Guilds," published for the Early English Text Society by N. Trübner and Co., 1870.

[3] A Grossarius, of Soper's Lane, appears in one of the letter books for the year 1310; and in A.D. 1328, 2 Edward III., a body termed Grossarii is mentioned in a list of the several mysteries of London. Ravenhill, Clerk of the Grocers' Company about 1690, asserts that John de Grantham was in 1329 chosen mayor by the title of Grocer; but his authority for this cannot now be found. In the enrolments of the City guilds

Deputation from Grocers' Company.

The rapidity with which the Company rose to importance towards the end of the fourteenth century has been already noticed. By this time the practice of garbling, *i.e.* the cleansing or examining of spices, drugs, &c., to detect and prevent adulterations had been established. The first garbler was Thomas Halfmark, a Grocer. About the same time, John Churchman, Grocer, founded the first custom-house for wool, and through him the duty of wool-weighing devolved on the Company. In 1411 a descendant of Lord Fitzwalter who, in the reign of Henry III., had obtained possession of the chapel of St. Edmund, which adjoined his family mansion, sold the chapel to the Company for 320 marks, and in the next reign the Company purchased the family mansion and built their hall upon the site. The foundation stone was laid in 1427, and the building was completed in the following year. The expenses were defrayed by the contributions of members. Five years later the garden was added.

In 1428 the Company's first charter of incorporation was granted by Henry VI.

The reason for the application was, no doubt, that the recent purchase of a site for the hall involved the necessity of a license in mortmain.[1] The corporate name was "Custodes et communitas Misterii Groceriæ Londini." The Company are to have perpetual succession and a common seal, and are to be for ever persons fit and capable in law to possess in fee and perpetuity lands, tenements, and rents, and other possessions whatsoever: that is, the artificial incapacity to hold land created by the Act of Richard II. was removed. Then there is a further grant that the Company may acquire lands, tenements, and rents within the City of London and suburbs thereof, "which are held of us," to the value of twenty marks per year, and a charter of the following year provided that the hall and its site should be considered of the value of six marks out of the twenty. With respect to this charter it is to be noticed that it contains no reference to trade and no condition of any kind. It is the charter of a religious or social guild, not of a craft guild.[2]

In 1447 Henry VI. granted to the wardens of the Company the exclusive right of garbling throughout all places in the kingdom of England, except the City of London. This is not a charter affecting the corporate body of the Company, but letters patent directed to the wardens.[3]

in 1318 and 1328, the Grossarii and Pepperers seem to have united, and the term Grossarius gradually prevailed. Whether the term "Grosser" was derived from the use of the *peso grosso* or avoirdupois weight, or from the fact of the leading members being dealers *en gros*, is uncertain. A third derivation was suggested in 1363 by trade rivals, who petitioned the king and Parliament against the merchants called Grossers, who "engrossed" all kinds of merchandise.

Whatever be the derivation of the word "Grocer," it is plain from the foregoing considerations that the word, as used with reference to the Company, was of very wide application. It probably included all merchants and wholesale dealers, and had little or no relation to the retail business to which the term is now limited.

[1] The first Mortmain Act which affected guilds and fraternities was 15 Richard II. c. 5, A.D. 1391.

[2] The charter is printed at length at the beginning of the Company's returns.

[3] It may be interesting to note some of the instances of the interference of the Company with the adulteration of goods:—

As early as 1456 a fine was inflicted on one John Ayshfelde "for makynge of untrewe "powder gynger, cynamon, and sawnders."

In 1561 the books show that "bags and remnantes of certeyne evil and naghte "pepper" were ordered to be conveyed over sea to be sold, and the dust of "the evil "pepper, syrnamed gynger," was to be burned.

In 1562 the Court made an order that "groccrie wares shall not be sold in "the streetes, figges onlie excepted." And that the apothecaries, freemen of the Company, should not use or exercise any drugs, simple or compound, "or "any other kynde or sortes of poticarie wares but such as shall be pure and "perfyt good."

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Charters were also granted to the Company by James I. and Charles I., enlarging the power to hold lands in mortmain, and giving authority to punish all delinquents unduly or insufficiently carrying on or exercising the mystery or art of Grocer. In these charters the power to hold land (in the latter charter without limit) is unconditional, and the trade powers do not form an essential part of the incorporation, but are superadded; the exercise of the trade powers is not limited to members of the Company.

In 1640 the Company, on obtaining their charter from Charles I., furnished him, on his demand, with the sums of 6000*l.* and 4500*l.* In 1642 they lent 9000*l.* to the Parliament, and the next year 4500*l.* to the Lord Mayor "for the defence of the city in these dangerous times." The Company also granted loans or gifts of 2000*l.* and 1360*l.* to Charles II.

That these gifts or loans were very onerous there can be no doubt. They were met by the contributions of members, and by mortgage of the Company's property. In the last resort the Company's plate was sold in 1642-43 for 1204*l.*, to raise the money required. In the case of the 1360*l.* loan, the members of the Company were assessed as follows: Aldermen 9*l.*, Assistants 7*l.*, Livery 5*l.* each.

The Company throughout this period kept, in common with others, a store of corn, according to ancient custom, for the supply of the poor at reasonable prices when bread was dear. In the year 1560, the charge on the Company for this purpose amounted to 400*l.* The Company had regular granaries at Bridewell and at the Bridge House. The stock of corn was constantly kept up till the Great Fire in 1666. The money required was levied by a personal contribution from the members, and two of the livery were from time to time appointed by the Court under the name of "Corne Renters" to collect it.

The Company were also bound to maintain an armoury at their hall.

At the time of the Great Plague in 1665, the Company were assessed in various sums of money for the relief of the poor, and they also provided a large quantity of coals.

The next year the Great Fire inflicted losses on the Company from which it did not recover for nearly a century. The Company's hall and all the adjacent buildings (save the turret in the garden, which fortunately contained the records and muniments), and almost all the Company's houses were destroyed. The first action of the Company was to endeavour to provide another hall. Their funds were exhausted, and there

In 1571, Rauf King, a brother of the Company, "and certain others, makers of "comfytts, were charged before the wardens for their misdemeanours in mingling "starch with the sugar, and such other things as be not tolerated nor suffered. And "the said Rauf King, having now in his place a good quantity of comfytts made with "corse stuffe, and mingled as aforesaid with starch and such like," it was ordered that the comfits should be put into a tub of water and so consumed and poured out; "and "that every of the comfytt makers shall be made to enter into bonds in 20*l.* that they "shall not hereafter make any biskitts but with cleare suger on lie, nor make any "comfytts that shall be wrought upon seeds or any other thinges, but with cleare "suger onlie."

On the 7th of February, 1616, Michael Eason having been convicted before the Court of Assistants, he being an apothecary and brother of the Company, of selling "divers sortes of defective apothecarie wares, which, on trial, were found to be defec-"tive, corrupt, and unwholesome for man's body," and it being further proved, "that "he had sould and uttered the like wares to Mr. Lownes, the Prince his highness's "apothecarie, and others, and he alsoe being found very unfitt in making of composi-"tions and confections, and insufficient and unskillfull to deale therein, he is by the "Court, in consideration of the great damage and danger which might happen to the "Companie by permitting such enormities, committed to the Poultrie Compter." There are several instances of the Company proceeding to these extremities.

As late as 1649 it was ordered that the search be again revived and evil goods destroyed.

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were heavy debts. An appeal was made to the liberality of the members of the Company in the form of a subscription, and the wardens personally solicited contributions. In 1668 Sir John Cutler came forward and proposed to rebuild the parlour and dining-room at his own charge.[1]

In January, 1671, a special Court was summoned, to consider a Bill exhibited in Parliament by some of the Company's creditors praying for an Act for the sale of the Company's hall, lands, and estates, to satisfy debts; and to make members of the Court liable for debts incurred. The next year the hall was, at the instance of the Governors of Christ's Hospital, sequestered, and the Company ejected till 1679, when, after great difficulties and impediments, money was borrowed to pay off the debts, and get rid of the intruders. In 1680 the Court of Assistants agreed that the most effectual way of regaining public confidence was to rebuild the hall. Sir John Moore set an example of liberality by contributing 500*l.*, and he was followed by many other members of the Court.[2]

[1] In 1669 a petition was presented to Parliament which stated that the Company, being an ancient Corporation, had, in several ages, by the charity of well-disposed persons, been intrusted with divers lands, rents, and gifts, and by means thereof were charged with the maintenance of, and contributions to, several hospitals, almshouses, schools, provision for ministers, exhibitions to poor scholars in the University, and other good and charitable uses; that in 1642, when the kingdom of Ireland was greatly distressed by the rebellion newly risen there, the Company borrowed and advanced 9000*l.* for the relief and defence of his Majesty's kingdom, and were in debt for that amount and the interest, only 645*l.* having been reimbursed, and prayed for leave to bring in a Bill to raise 20,000*l.* by an equal assessment upon the members of the Company of ability. The application to Parliament failed, and an effort was then made to raise the 20,000*l.* among the members. The terms of the petition seem to show that there was no idea at this time of any connection with trade.

[2] "All being fully convinced that if the hall should long continue under those circumstances not only all that had been done would be wholly fruitless, but all that remained (for which they were trustees to the generations to come) would soon waste into nothing, which would reproachfully render the present members most ungrateful to their ancestors, whose names still blossom in what remains of those pious monuments of their charities, and obnoxious to those who should succeed happy members of the society." *See* "A Short Account of the Grocers' Company," by Wm. Ravenhill, 1689.

The minute is interesting, and certainly does not confirm Mr. Firth's statement that "it is a matter of common repute that the estates of Companies are often leased to members at absurd rentals, enabling the lucky lessees to make an excellent profit in relatting them" ("Municipal London," p. 56). It is not known that this was ever done at Grocers' Hall. At the present time no member of the Company holds a lease under it. The minute referred to is as follows:—

"18th August, 1687.—To the end this Company may not be for ever kept low and poor, but may in due time be raised and restored to a capacity not only of discharging their trusts and engagements, and may thereby remove their reproach, but also may become, as they once were, a nursery of charities and seminary of good citizens, do order and decree, and be it ordered and decreed (so far as the power and authority of this Court may extend), that from henceforth no new lease be granted, or any term of years added, to any term which shall be then in being, whilst there shall remain five years or more to come of any term then in being and unexpired, nor under less rent reserved thereupon than after the rate of 10*l.* per cent. per annum of the full improved yearly value thereof at the time of such demise, to be made without the consent of a Court of Assistants of the one full moiety or half of the number of the assistants that shall be then living, by subscribing their names do declare such their consent thereunto. And that from time to time when any part of the Company's revenue shall be so demised, or any such lease be granted, a short writing, purporting the thing so to be demised or granted, be put upon the front door of their hall in the yard by the space of one month before the wardens or any members do treat with any person in order so to demise or dispose thereof; and that intimation be mentioned in the tickets for summons of the assistants of the occasion of such Court to dispose of such part of the Company's revenue, to the end the Company's revenue may hereafter be improved and applied and disposed of to the most and best advantage, in order to discharge their said just debts and charities, and answer their said great trusts. And

So pressing at this time were the parishes for their charities and arrears, that on one occasion the members of the Court raised 30*l.* out of their own pockets to pay Luddington parish, and so stayed Chancery proceedings; and they resolved in future to raise money out of their own pockets to pay annual charges to parishes. Deputation from Grocers' Company.

In order to prevent a second sequestration, an Inquisition was taken in 1680, before Commissioners for Charitable Uses, and, pursuant to a decree made by those Commissioners, the Company in 1687 conveyed their hall, and all their revenue (subject to existing charges) to trustees, to secure the arrears and payment of the yearly sums and charities charged upon the property by the various donors. Under the decree a period of twenty years was allowed to the Company to discharge their debts. The trustees left the appointment of the receiver to the Court of Assistants, who nominated the clerk.

The records of this period show that the continuity of the Company was maintained, and its property saved from destruction, by the personal exertions and private liberality of members of the Court.

A minute of the Court of the 18th of August, 1687, throws light upon the reduced condition of the Company at this time, the earnest desire of the members to improve it, and the view then taken of the purposes of the Company and the management of the property. The minute speaks of the Company as "a nursery of charities and seminary of good citizens," but makes no reference whatever to any connection with trade.

Towards the end of the seventeenth century, the Company's right of garbling fell into desuetude. The last mention of it is in 1687, when a Mr. Stuart, the City Garbler, offered to purchase "the Company's right in the garbling of spices and other garbleable merchandise." The Court, finding that from long disuse their privilege of appointment to that office was weakened, accepted a small fine of 50*l.* from Mr. Stuart for the office for life, and 20*s.* a year.

No mention has yet been made of the writ of *quo warranto*, under the pressure of which the Company surrendered their privileges to Charles II., and received a charter from him in 1675, and two charters from James II. in 1688.

These charters were abolished and annulled by the Act of 2 William and Mary, s. 1. c. 8., which gave a parliamentary sanction to the status of the Company as it existed before the judgment on the writ.[1] Mr. Beal seems to be pressed with this difficulty, and suggests that the words of the Act, "which they lawfully had and enjoyed at the time of giving the said judgment," operate to exclude the charters of the Companies, by which he asserts a right of search was given, inconsistent with liberty of Ans. 829.

for the more effectually observing of this order according to the true intent and meaning thereof, it is in like manner ordered that the same be publickly read over every year in the presence and hearing of the master, wardens, and assistants, and cloathing on the Anniversary Festival of Inauguration of their master and wardens after sermon and before dinner."

[1] The 14th section of the Act is as follows:—"And be it enacted by the authority aforesaid, that all and every of the several Companies and Corporations of the said City shall from henceforth stand and be incorporated by such name and names, and in such sort and manner as they respectively were at the time of the said judgment given; and every of them are hereby restored to all and every of the lands, tenements, hereditaments, rights, titles, estates, liberties, powers, privileges, precedences, and immunities which they lawfully had and enjoyed at the time of giving the said judgment; and that as well all surrenders, as charters, letters patent, and grants for new incorporating any of the said Companies, or touching or concerning any of their liberties, privileges, or franchises, made or granted by the said late King James, or by the said King Charles II., since the giving of the said judgment, shall be void, and are hereby declared null and void to all intents and purposes whatsoever."

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trade, and therefore contrary to Magna Charta, which granted to all cities and boroughs "all their liberties and free customs." Mr. Beal does not show how these liberties and free customs were interfered with by the means taken to prevent the sale of ill-made, spurious, or adulterated goods; but, even if he were right, the original charter of the Grocers' Company, which contains no reference to trade, would, on Mr. Beal's own showing, stand unaffected and good with the direct sanction of an Act of Parliament.

In 1669, King William III. took upon himself the office of Master of the Company for the year, and made the Company a grant, which ceased at his death, of three fat bucks yearly out of Enfield Chase.

The last record of the indebtedness of the Company is in 1721. After this the Company's affairs rapidly improved, and the public spirit and foresight of the members who, at the time of the Great Fire, and during the ensuing troubles and difficulties, had, at great cost to themselves, maintained the Company's credit and preserved its hall and property, were ultimately rewarded by the Company's prosperity. In 1758, the finances of the Company admitted of the expense of the election feast being defrayed by the Company instead of by the wardens personally, and in the next year the payment of quarterage by members was given up. By degrees the Company were enabled to increase their aid to indigent freemen, to administer their trusts with liberality, and to subscribe largely to objects of public interest and for the advancement of religion, education, and charity. In 1798, a sum of 1000*l.* was given in aid of the assessed taxes.

It is hoped that adequate proof has been given that the Company is not, and never has been, a craft guild or trade guild. It may be added that it is not known that any conveyance, devise, or gift was ever made to the Company for trade purposes or in connection with trade, and that of the thirty-seven separate gifts of money intrusted to the Company by various persons for the advancement in life of young men, freemen of the Company, two only refer in any way to the business or trade of a grocer. It remains to be shown that the Company is not a town-guild, i.e. not a municipal corporation or a part of the Corporation of London.

A municipal corporation, according to Blackstone, is "a lay corporation created for the good government of a town or particular district." Some kind of territorial jurisdiction is essential to the idea of a municipal corporation.[1]

It has always been distinctive of the City guilds that they had no territorial jurisdiction, and that residence was no qualification for membership.

On this subject some very erroneous views seem to have been placed before the Commission.

Ans. 28. Mr. Hare says the Companies undoubtedly at present form part of the
Ans. 29. Municipal Corporation of the City of London, and he gives as his reason that the Companies form what is called the commonalty, the
Ans. 242. common hall. Mr. Firth assumes that the Companies are an integral part of the Corporation of London, and states that the Municipal Com-
Ans. 596. mission of 1833 considered the Companies within the province of their
Ans. 815. Commission. Mr. Beal says every Lord Mayor since 1189 (the beginning of legal memory) has been a member of a guild, and would not have been

[1] The preamble of the Municipal Corporations Act of 1835 is, "whereas divers "bodies corporate at sundry times have been constituted within the cities, towns, and "bor ughs of England and Wales, to the intent that the same might for ever be and "remain well and quietly governed." So the definition of Municipal Corporation in "the Municipal Corporations Act of 1882 is "the body corporate constituted by the "incorporation of the inhabitants of a city or town to which the Act applies."

eligible for the office if he had not been a member of a guild; also, that the Corporation address the Crown in three distinct ways: by the Lord Mayor and aldermen in their inner chamber; by the mayor, aldermen, and council in common council; and by the mayor, aldermen, and livery in the common hall; and that the Lord Mayor of his own authority may legally call a common hall. Mr. Phillips considers that the Companies are part of the Corporation, because they exercise municipal functions. Deputation from Grocers' Company. Ans. 816. Ans. 823. Ans. 1419.

There appears to be a general confusion in the minds of these witnesses between the Companies as corporate bodies and the individual liverymen. A Livery Company, as such, forms no part of the Corporation. It is not subject to the jurisdiction, and it has no voice in the management of the Corporation. It consists of two classes, liverymen and freemen, the latter being the more numerous body, and the liverymen individually, if they are also freemen of the City, are members of the commonalty or common hall; in other words, the common hall consists of such freemen of the City as have the status of liverymen.

If Mr. Firth is right in saying that the Municipal Commission of 1833 considered the Livery Companies within the province of their Commission, the result (as stated by Mr. Beal) showed that the opinion of that Commission was wrong, for the Companies were advised to resist by the most eminent lawyers of the day, and they resisted successfully. Mr. Phillips admits that he knows of no case in the last 200 years in which the Corporation has interfered with the property of the Companies. Ans. 701 *et seq.* Ans. 1418.

It is to be observed that not only is there the widest possible difference between the Companies, as such, and the individual liverymen, being members of the Corporation of London, but the liverymen are only members, if at all, in an extremely limited sense. When we speak of the citizens or burgesses of a city or borough being members of the corporation, we mean that they are electors of the governing body, the town council, and themselves eligible for election. But in the case of the Corporation of London, liverymen, as such, are not electors of the governing body, the court of aldermen and common council, and they are not, as liverymen, eligible for election as aldermen or common councillors.

The election of Lord Mayor by the livery in common hall is a curious survival of ancient custom, but the importance of its bearing on the present question has been much exaggerated. The Lord Mayor is elected from the aldermen who have served as sheriffs.[1] The aldermen are elected by the same electoral body which forms the constituency of the common councillors; the qualification being either 10*l.* occupation, household suffrage, or lodger franchise.[2] A liveryman has no vote for the election of aldermen. Consequently the common hall or livery can only select out of the twenty-six nominees of a different constituency, and out of the twenty-six they must select two, between whom the court of aldermen decides. The election of Lord Mayor is obviously little more than a mere form. The two senior aldermen below the chair are always selected by the common hall, and the senior of the two is usually chosen by the court of aldermen. The livery have hardly any more real choice than a Dean and Chapter in the case of a *congé d'élire*.

Another argument adduced is that there are instances of the Lord Mayor, aldermen, and liverymen, in common hall assembled, approaching the Throne. Upon this point Mr. Firth asks Mr. Beal:—

"Have you read the address presented on behalf of the Lord Mayor and the Livery Companies in common hall assembled in 1775, in respect to an answer of the king?"—"Yes, in the reign of King George III." Q. 821.

"With respect to what the rights of liverymen were?"—"Yes; and I think it very important that that should be read, because it sets out in Q. 822.

[1] "Municipal London," p. 29. [2] Ib. p. 32.

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the strongest possible form that they are, and they claim to be, an integral part of the Corporation."

Then Mr. Firth reads the extract, which concludes with the opinion of Mr. Wedderburn, Mr. Glynn, and other learned counsel, as follows:—

Q. 823. "We apprehend that the head officer of every Corporation may convene the body, or any class of it, whenever he thinks proper; that the Lord Mayor for the time being may, of his own authority, legally call a common hall, and we see no legal objection to his calling the two last; we conceive it to be the duty of the proper officers of the several Companies, to whom precepts for the purpose of summoning their respective liveries have been usually directed, to execute those precepts; and that a wilful refusal on their part is an offence punishable by disfranchisement.—That is the extract."

Q. 824. "I will leave that branch, as to the action of the City, and ask you one further question. Have you read the decision in the case of the refractory Companies in 1775, when between the Corporation and the Goldsmiths' Company the question was contested?"—"Yes."

Q. 825. "What was the effect of that decision?"—"The Companies were found to be in the wrong, and that they were an integral part of the Corporation, and it is fully set out in your own book, 'Municipal London.'"

Nothing can be more circumstantial, or apparently correct; and this evidence, cleverly led up to, probably had some effect on the minds of the Commissioners. But, like several other facts stated by Mr. Beal, it will not bear investigation. The decision on which he relies was the decision of Mr. Recorder Glynn, one of the counsel who had signed the opinion, and the decision was unanimously reversed, on appeal, by Lord Chief Justice de Grey and four other judges. The so-called refractory Companies, who opposed Lord Mayor Wilkes' impudent proceedings, were the Grocers, the Goldsmiths, and the Weavers. The history is given fully in Baron Heath's "History of the Grocers' Company, pp. 162—170, 3rd ed. The papers are in the possession of the Goldsmiths' Company.

It may be added that freedom of a City Company does not involve freedom of the City, which must be taken up separately by a distinct act; also that the freedom of the City may be acquired by a person not free of any Company, nor under obligation to become so.

Part III.—The present Administration of the Company.

The foregoing sketch of the history of the Grocers' Company may be summarized as follows:—The Company was founded, in the middle of the fourteenth century, by some of the leading merchants and traders of London, as a social, benevolent, and religious fraternity, and this character, except as regards the religious observances of the brotherhood, has been maintained from the first meeting, 538 years ago, to the present day; the continuity of the fellowship never having been broken even in the most troublous times. The hall and garden of the Company occupy the original site purchased by free contributions of the members between 1411 and 1433. The Company rapidly gained importance after its foundation, and before the end of the century was the most powerful body in the City, and became entrusted with the public duties of weighing and garbling, which it retained for about 250 years. During the same period the Company contributed largely to political and municipal objects, by loans to the king or Parliament, by taking part in the colonization of Ulster, by supporting the poor, and aiding in the defence of the City. But though the commercial and municipal eminence of

various members exercised an influence on the conduct and proceedings of the Company from time to time during its long history, the primary and essential principles of the guild, as a social, benevolent, and religious body, were always paramount. The increase and independence of trade towards the end of the seventeenth century deprived the Company weakened as it was by its losses in the Great Fire, of its public duties of weighing and garbling, and of its power of trade superintendence; but the members of the Court, who came forward in the Company's great distress, and saved it from extinction by their personal exertions and liberality, went back to the fundamental principles of the guild, when they left a solemn record of their intention that the Company should again *become, as it once was, a nursery of charities and seminary of good citizens.*

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It remains now to show how the original purposes of the guild, as embodied in the ordinances of 1345 and 1376, and the intentions of the second founders of the Company (for such they deserve to be called), as solemnly recorded in 1687, are now understood and carried out.

The religious element of the guild is observed in the Company's support of the National Church. The Company are patrons, wholly or partly, of eight livings of no great value, and, as patrons, they subscribe with well-considered liberality to proper parochial objects. Four of these livings have been purchased under the trusts of Lady Slaney's will. The Company regard their livings less as a matter of private patronage than as a trust. In this spirit, when the living of All Hallows Staining, the only valuable living which the Company ever possessed, with an income of 1600*l.*, and a population reduced by changes in the City to 200, fell vacant in 1866, the Company applied for and obtained an Estate Act, under the powers of which the living has been united to a neighbouring benefice, the sites of the church and the curate's house sold, and the proceeds applied in building and endowing two district churches in the poorest parts of the east of London; and a third church will in due time be added. The Company have aided the work by an expenditure out of their funds of nearly 7000*l.* on parsonage houses, parish rooms, organs, etc. They also contribute towards the support of curates and church expenses.

The Company have also subscribed largely to the funds of the Bishops of London, Winchester, and Rochester, with a special view to benefiting the poor of the metropolis; and to the Irish Church Sustentation Fund.

The social element of the ancient guild is preserved in the hospitality of the Company. This is extended freely to public men, to illustrious foreigners, successful administrators, admirals, and generals; to dignitaries of the Church, and to men eminent in the law, medicine, literature, art, and science. The honorary freedom of the Company is, it is believed, highly valued. A most distinguished French officer is reported to have said of it on an important public occasion, that he had during his life gained very many honours and distinctions, but he valued none more than being the member of a society which had existed on the same lines for upwards of 500 years, and that he earnestly desired for his own country that such institutions were possible there.

The third object of the ancient guild is benevolence, or charity; under this head is included education.

The Company manage Sir W. Laxton's School at Oundle, a first grade school of considerable importance, schools at Witney and Colwall, and a large middle class day school at Hackney Downs. The Company give a considerable sum every year in exhibitions to the Universities, with special exhibitions to unattached students. In all cases the candidates are carefully selected on the three grounds of good character, poverty, and school or college distinctions. The Company give to their poor

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members about 4000*l.* a year, to London hospitals about 2000*l.*, to clergymen's widows about 750*l.*, to orphan asylums about 1000*l.*, to boys' homes, ragged schools, &c., 250*l.*, to London police court poor-boxes, 300*l.*, to Mansion House funds, 300*l.*, to benevolent and poor relief societies, 700*l.* All the charities and charitable gifts are personally managed or personally inquired into by members of the Court.

Mr. Firth could, it is hoped, have known but little or nothing of the proceedings of the Company when he wrote of the members:[1] "The "stewardship of a few charities and of many dinners is responsibility "sufficient for them." But Mr. Beal makes an even more offensive imputation against the Company with reference to the London Hospital. To this hospital, the largest in London, and situate among the dense and generally poor population of Whitechapel and Bethnal Green, the Company in 1873 gave 20,000*l.* for the erection of a new wing, and in 1876, 5000*l.* to furnish it. The Company has since made an annual gift of 500*l.*, and appointed two members of the Court to serve on the house committee.

Ans. 629. Ans. 725.

Mr. Beal states that the gift of 25,000*l.* for the London Hospital was made after his agitation began: "Why did they not give 25,000*l.* to the "London Hospital before we began our agitation?" Clearly implying that the gift was made under the influence of the agitation.

It is confidently believed that at the time when the gift was made no member of the Court had ever heard of Mr. Beal's agitation. The gift of 20,000*l.* was made in 1873. The City Guilds' Inquiry Society was, it is believed, formed in 1876, with Mr. Danby Seymour as chairman, and Mr. J. B. F. Firth as counsel. Mr. Firth's book, "Municipal London," was published the same year.

The Company's first grant to the London Hospital was made as long ago as 1796, and numerous gifts were made between that year and 1873. When the grant of 20,000*l.* was proposed in 1873, twelve or fourteen members of the Court of the Company were also governors of the hospital. The member who proposed the grant was also on the house committee of the hospital, and was intimately acquainted with its wants, and has himself given 17,000*l.* to it. Another member of the Court has given 9000*l.* The proposal that the Company should build a new wing had been mooted eight or ten years before 1873.

These facts speak for themselves. The Grocers' Company deeply regret that they are compelled, by the unscrupulous imputations which have been directed against the Company, to mention such matters at all to the Commissioners.

The Commissioners are probably aware that the Company has given large sums for the promotion of technical education. The Company has also directed its attention to the desirability of encouraging original research in sanitary science. After consultation with some of the most eminent scientific men of the day, a scheme has just been matured for founding scholarships of 250*l.* a year each for the encouragement of research in sanitary science, and a quadrennial discovery prize of 1000*l.* This is a form of endowment novel in character, which, it is hoped may prove eminently useful in solving some of the sanitary questions arising from the dense aggregation of population in our great towns.

The Company find nothing in the official evidence from the Charity Commission, so far as it relates to matters within the jurisdiction of that Commission, to call for remark, except the unintentional omission to notice the Company's Middle Class School Scheme as already mentioned. That evidence appears to express general satisfaction with the management of charities by the City Companies.

[1] "Municipal London," p. 58.

Deputation from Grocers' Company.

The evidence as to the corporate property of the Companies is almost confined to the small knot of agitators who formed the City Guilds' Inquiry Society. The facts alleged by these gentlemen against the Grocers' Company have, it is confidently submitted, been completely disproved, and the theories propounded by them seem to have little or no basis of facts, and are inconsistent with each other. Sometimes it is said that the City Companies are municipal corporations, and that their corporate property is applicable to municipal purposes. At other times it is said that they are trade guilds, and that their property is applicable to trade purposes. Such arguments confute each other.

It is proposed to conclude with Mr. Firth's summary, in nine propositions, of his case against the City guilds,[1] with the reply of the Grocers' Company in each instance:—

1. "The London Livery Companies are an integral part of the Corporation."

This has been already disproved in an earlier part of this statement.

2. "The property of the Companies is public trust property, and much of it is available for municipal purposes."

The Commissioners will form their judgment on this point, so far as the Grocers' Company is concerned, from this statement and the Company's returns. The Lord Chancellor has recorded his opinion against Mr. Firth's view; Lord Langdale judicially declared the Company's property to be private property. In the very numerous cases in which the Attorney-General has proceeded by information against City Companies with respect to charities, it has, it is believed, invariably been assumed by judges and counsel alike that the question was one between the Company, as private owners, and the charity. Mr. Firth's suggestion of a public trust is inconsistent with the history of more than five centuries.

3. "The Companies are trustees of vast estates of which London tradesmen and artisans ought to be the beneficiaries, but such trusts are disregarded."

The Grocers' Company are unaware of the existence of any such trust. It would be difficult to reconcile such a trust with the previous propositions laid down by Mr. Firth.

4. "The Companies are also trustees of estates applicable to charitable uses; they fail to apply to such uses the whole of the funds fairly applicable to them."

The Grocers' Company discharge strictly all their legal trusts, and, as has been shown, supplement them very largely from their corporate funds. In some cases, such as Oundle School and University exhibitions, they expend on the objects of the charity more than ten times the amount of the legal obligation; and even when the charity has legally ceased to exist, as in the case of Lady Middleton's gift for poor clergymen's widows, they perpetuate the name and wishes of the founder by the application of their corporate funds to a much larger amount than the founder contemplated.

5. "The Companies were incorporated to benefit trade, to train artisans, and to repress bad workmanship; they perform none of these functions."

The Grocers' Company was not incorporated for any such purpose. Their charter of incorporation was unconditional.

[1] "Municipal London," p. 635.

Deputation from Grocers' Company.

6. "The Companies are, by charter, to be composed of members of a given trade in many cases, and are legally compellable to admit members of it. They admit members irrespective of trade, and impose restrictions on those who are admissible."

This is inapplicable to the Grocers' Company, which was never a trade guild.

7. "The Companies are subject to the control of the Corporation, but as the members of that body are members of the Companies also, and are promoted in the latter concurrently with their advancement in the former, such control is never enforced."

The Companies are not subject to the control of the Corporation. When the matter was brought to an issue between the Companies of Grocers, Goldsmiths, and Weavers on the one hand, and the Corporation on the other hand, in 1773, the Corporation signally failed. The Grocers' Company know nothing about the advancement of members here suggested by Mr. Firth. No member of the Company has filled the civic chair for nearly a century. That the control of the Corporation is never enforced is true, for it is reasonably supposed to have no legal basis.

8. "The Companies are subject to the control of the Crown, and their lands and monopolous privileges were only granted on condition they performed certain duties; they have ceased to perform the duties, but they continue to hold the lands."

The Grocers' Company are not aware of any grant having been made to the Company on condition that they performed certain duties, except in the case of charges on lands devised, which are always punctually paid. As to the control of the Crown, the Company are not aware that they are in a different position to any other of her Majesty's subjects.

9. "The continuance of a large amount of land in the heart of the City and in the north of Ireland in the hands of corporate and unproductive bodies is a hindrance to commerce and a loss to the public revenue."

It may be a fair question for consideration whether the Company should pay a composition equivalent to succession duty on their corporate property. They have never been called upon to do so. The Company some years ago sold their Irish estate, and the tenants, it is believed, regret the change. Mr. Hare, in his evidence, does not agree with Mr. Firth as to the inexpediency of land being held by corporate bodies. The abolition of "unproductive" landowners is a question extending far beyond the City guilds.

Ans. 118—121.

Grocers' Hall, *February* 19*th*, 1883.

DRAPERS' COMPANY.

Deputation from Drapers' Company

THE following gentlemen attended as a deputation from the Drapers' Company:—

Mr. William Henry Dalton.
Mr. John Rogers Jennings.
Mr. W. P. Sawyer.

Deputation from Drapers' Company.

CHAIRMAN to Mr. Dalton: You have come, I understand, as representing the Drapers' Company?

We have.

And I understand that you have a statement in preparation which you intend to lay before the Commission, but which is not yet ready, is that so?

Quite so.

May I ask you to what that statement refers?

That statement refers principally to our Irish estates, and is an answer to Dr. Todd's evidence.

We have had your returns laid before us, and I understand that your object in coming here is not so much to add to that, as to give members of the Commission an opportunity of cross-examining upon them if they think fit?

We come in response to the Commissioners' invitation.

SIR RICHARD CROSS: I understand that you wish to correct some statement that has been made by Mr. Longley?

Yes, there are one or two things in Mr. Longley's evidence I should like to allude to and correct. In question 322, Mr. Longley refers to Howell's Charity. That case was decided by the Master of the Rolls on the 3rd of May, 1843, adversely to our Company. It was decided against us, but I think, looking back to that time, we are surprised that we were not then legally advised to take it back into Court. I had better read to you a few words of Lord Langdale's judgment, which, I think, absolves our Company from any blame. On page 13 of the judgment he says: "Now nothing can be more satisfactory in an "investigation of this kind than to find that there is no possibility for "any imputation of bad or corrupt conduct on the part of the defendants. "The present defendants, beyond all question, have applied this fund "just in the manner in which it has been applied by their predecessors; "in all probability they never looked at the original foundation at all; "but instead of applying it to any beneficial purposes of their own, it is "now shown by the evidence, and by their answer, and it is admitted by "the Attorney-General that they have applied these funds not to their "own benefit, but in a most beneficial manner for the most useful chari-"table purposes; and one may entertain very great doubts whether ex-"tending the charitable purposes of the founder will be productive of "effects anything like so beneficial as the charitable purposes promoted "by the defendants." That will show, I think, that Lord Langdale exonerates the Company from any blame for what they had done, and besides that, the course they adopted was a wise course as far as the administration of the funds went. Then afterwards, with reference to Mr. Longley's evidence, in which he alludes to the cost of administration of charities, I think he says the Livery Companies are very lavish in their expenditure in management. Now I may say that our charitable trusts income is 30,000*l.* a year, and the cost of management is 1500*l.*; that is about five per cent. I should say the property consists of houses in London, and farms and property in the country. That five per cent. includes rent collection, the management of property and the distribution of the revenue, and solicitors, surveyors, and land agents' charges, and the property, being scattered all over the country, of course there is occasionally considerable expense in its management. As to the distribution of the revenue, we have six schools with 420 pupils, twelve sets of almshouses, with 206 inmates; four apprentice charities, the number of apprentices averaging 80 a year, and 130 pensioners. We consider that five per cent. of the revenue cannot be called a very lavish expenditure. Then we come to the statement

Deputation from Drapers' Company.

about Baneroft's School and Corney's School at question 457 of Mr. Longley's evidence. He blends them into one institution, but they are totally distinct. The date of Baneroft's will was 1727; he then left money to found a school and almshouses, which we have had from that time to this; Mr. Longley in his evidence seems to imply that we have gone with 50,000*l.* to the Commissioners, I will not say to bribe, but to induce them to give us certain advantages; now we deny that *in toto*. This school is a pet school of the Company; we have had it under our management since 1727, and we take great interest in it, and also in the success of our boys, and the boys turn out very well indeed in a great many cases. The school was an old building and unfit for the present times, and not in good sanitary condition, and our architect told us it was of no use to patch it up and try to repair it. The funds of the charity would not allow of anything like the expenditure necessary to rebuild it, and we resolved to go to the Commissioners for a scheme to rebuild the school, either where it is now, or elsewhere near London. Then, with regard to Corney's School, that is quite a modern institution founded by Mr. Corney, a personal friend of my own, and a master of our Company, who left us 36,000*l.* to establish a school for fatherless girls. We established that school; we spent about 6000*l.* in purchasing the freehold premises, and the 30,000*l.* was invested for the income. We have expended from our corporate funds upon the school 11,000*l.*, and at the present time we are paying one-half of the annual expenses. Last year there was nearly 1000*l.* voted on this account. The very fact, I think, that a past master of our Company at the present day leaves this large fund in our hands shows the confidence he has that we act as faithful trustees of charitable trusts. Then I think I may say a word about the Irish estates. Upon that matter we are prepared to send into the Royal Commissioners a statement to show our view. I do not know that I have anything more to say. I would only add, in conclusion, that we believe that our estates and property have been very judiciously managed, and I honestly say that I am sure that our charity trusts have been most faithfully administered. To quote the words of one of the witnesses who have appeared before the Commissioners, "what we have "done in the past is a guarantee for what we shall do in the future; in "other words, we have earned a right to be trusted."

Sir Sydney Waterlow: I think in addition to other charities your Company spends large sums on technical education, does it not?

It does.

They have given 10,000*l.* towards the erection of the Technical College in Finsbury, have they not?

They have given 10,000*l.* towards the college building in Finsbury.

Mr. Firth: In what year was that given?

Our first vote for technical education was on February 7th, 1877, when we voted 2000*l.* a year to the Technical Institute. The 10,000*l.* was given subsequent to that.

Sir Sydney Waterlow: And the 2000*l.* has been increased to 4000*l.*, has it not?

To 4500*l.*

And is there every reason to believe that if the Institute conducts its work properly, the Company will continue to support it?

I may say the Drapers' Company have long felt a great interest in the work of promoting technical education. The earliest meeting of the City guilds was held at Drapers' Hall, I think, in 1876. We take a great interest in the matter, and no doubt, if funds are wanting, we shall be ready at any time with other Companies to come forward and supplement the funds.

Deputation from Drapers' Company.

Passing from that, I think we have heard that you have eighty distinct charities?

I think we have.

With an income of 28,000*l.* a year to distribute amongst them?

We put our charity income at about 30,000*l.* in round numbers.

Is the charity income administered free of any cost of administration?

I mentioned just now that five per cent. is the cost to the charities of the management, but then beyond that we use our own money.

Do you charge the five per cent. against the charities?

We do not make a charge of five per cent.; the total expenses amount to about five per cent.

Do you pay it out of the corporate income?

No.

Not out of the charities?

Yes, out of the charities. The amount charged out of the charity trust fund amounts to about five per cent.; it is not a five per cent. charge, there are different items—surveyors, lawyers, land agents, and so forth—amounting in the aggregate to five per cent., but we spend a great deal of money besides out of our own corporate fund over and above that which is the cost to the charities.

I understand you to say that you supplement your charity income out of your corporate income?

We do, considerably.

In many cases?

In many cases.

Do you bind apprentices at Drapers' Hall?

Yes.

Are they bound to persons carrying on the trade?

No, any freeman belonging to the Drapers' Company can have an apprentice bound to him; he must carry on a trade, but not necessarily the trade of a draper.

Are the apprentices bound to persons carrying on trade, and is the master who takes an apprentice bound to teach him the trade which he (the master) follows?

Yes.

Then they are all genuine apprentices?

Quite so. We do not admit any one to the freedom who has not really served his time.

Mr. Firth: I see you have bound 58 apprentices in 10 years at the Company's Hall, but you have placed out 596; would you explain the difference?

We have a Dixon Charity and a Pennoyer Charity, which provide funds for binding apprentices. They are not bound to our Company; they do not become freemen.

As to payments for Courts, can you tell me how much is paid for attendance on Courts and committees?

It is 3*l.* 3*s.* to each member.

Each time?

Yes, each time.

Is that paid to him at each attendance?

Yes.

Is it handed to him?

Yes; every member of the Court attending at the Court has a fee of 3*l.* 3*s.*

And that is the only payment; each committee is paid in that way?

Yes.

Chairman: We understood that you came here wishing to make some

Deputation from Drapers' Company.

statement as to your Irish property; have you anything to add to what has already been said as to that?

No; I may say we have had the character of being admirable landlords, and we have never had our title disputed. We will send in a written reply to Dr. Todd's evidence.

GOLDSMITHS' COMPANY.

Deputation from Goldsmiths' Company.

On Wednesday, the 7th of March, 1883—the sixteenth day—Sir Frederick Bramwell, F.R.S., and Mr. Walter Prideaux attended as a deputation from the Goldsmiths' Company.

The Chairman to Sir F. Bramwell: I understand you attend on behalf of the Goldsmiths' Company, and that you desire to offer some observations on their behalf?

I do, in company with Mr. Prideaux. Those observations your lordship has also in print, I believe.

Yes, I have read them.

We desire and trust that they may be taken as having been given here as oral evidence.

Have you anything to add to this statement?

Nothing has occurred to me since that was drawn up. I do not know whether anything has to Mr. Prideaux.

You will understand me as wishing my questions not to take the shape of cross-examining you, because I do not wish to do so; I have no desire to do more than to possess the Commission and myself of exactly what I understand to be your contention; as I understand, you contend that the great bulk of the property of the Goldsmiths' Company is absolutely their private property; is that so?

Yes.

And that it is subject to no legal restraint whatever?

Yes.

And might, if the Company chose, be divided amongst the members of the Company to-morrow?

Legally, I presume, it might be. I have not in the slightest degree suggested that anything of the kind would be done.

Neither do I suggest it; I only say that it might be so, according to your view.

I hardly like to talk law to your lordship, but certainly that is our view; and I am fortified in that by the opinion of the Lord Chancellor, with whom I had the honour of attending the Commission on a former occasion.

I suppose your legal position, in your view, would be the same if the Companies, or your Company, had ten times or twenty times the amount of property that they now possess?

That is so.

Or if they owned half England?

Or if they owned half England. It does not appear to me that the fact that I have got something which is doubly coveted, makes it doubly the property of somebody who would like to get it.

And, in your view, the State would be guilty of spoliation, as I under-

stand ("confiscation," I think, is the expression that you make use of), or something approaching to confiscation, if in the general interest it interfered with the holding of property on the part of any one, however exaggerated and large that holding might be? Deputation from Goldsmiths' Company.

I should certainly think so. It is the first time I ever heard it suggested that there should be a limit to property held by an individual.

I suggest nothing.

I will not say that your lordship suggests it. It is a new proposition to me that there should be a limit to property held in one person's hands.

Even when those lands are mortmain?

I believe so; but as these are legal points, I should prefer your lordship would allow Mr. Prideaux to break in and give answers upon these matters.

I only want to know what is the extent to which you push your view.

The extent to which I push my view is that which your lordship has stated, viz. that the property is legally ours, except that part of it on which there are direct trusts.

And that the right of the State to interfere is neither more nor less in the case of very large properties held in mortmain than it is in the case of very small properties held in the hands of private persons?

Upon that point I should be glad if your lordship would allow Mr. Prideaux to answer. So far as I am competent to express an opinion, I should say "Yes" to that; but if Mr. Prideaux might answer it, I should be glad.

Sir Richard Cross: As I understand, you consider that it is the origin of the property more than the size of it which you have to look at; that is to say, how you got the property?

How we got the property. It appears to me to be a somewhat dangerous doctrine to say, "I will consider whether this property is large "or small, and, if it is small, you may keep it; if it is not, I will consider "whether it shall not be taken from you."

Sir Sydney Waterlow: Do you know what proportion of the property held by the Goldsmiths' Company consists of property formerly held for superstitious uses, and which was purchased by the Goldsmiths' Company from the Crown in the reign of Edward VI., and the holding of which was confirmed by the present Act of 4 James I?

I know it by referring to the returns. But if you will be good enough to allow Mr. Prideaux to speak upon that point, he can do it with more particularity than I can.

May I ask you whether your Company has, since the establishment of the Charity Commission, applied to the Commissloners for any scheme of alteration of the administration of your settled charities?

I know as a matter of fact that they have; but again I would refer to Mr. Prideaux for the detail.

Now I turn to another subject. In your observations you state that at the commencement of this century the income of the Company was very small. Can you inform us what it was at any earlier period, say five or six centuries ago?

I cannot; but again I refer you to Mr. Prideaux.

May I ask you whether you consider that there is, or is not, a very close connection between the Livery Companies and the Corporation of London?

I should have thought it but a remote connection.

On page 14 of the return of the Company you say, "An examination "of this return will show that four-fifths of the income of all the

Deputation from Goldsmiths' Company.

"charity property vested in the Goldsmiths' Company is applicable to "the poor of the Company;" and then, furthermore, it is stated that an addition is made to that. I suppose out of the corporate fund, as if that was not quite sufficient; and then, "No deserving member of the Com- "pany, no deserving widow, or unmarried or widow daughter, of a free- "man falls into poverty or decay without receiving on application to "the Company pecuniary assistance." Then further, I think you, or the Company, or whoever wrote this for you, say, "The number of "persons applying for pecuniary relief, however, diminishes year by "year, and the time may probably come when the improved annual "value of the Company's trust property and a diminution of the number "of persons requiring relief, will render it desirable for the Company to "take into consideration the expediency of applying some portion of "the income of the trust estates, under a scheme to be approved by the "Charity Commissioners, in a manner different from that provided by "the wills of benefactors." Do you agree with that?

I agree with that, certainly.

Does not that imply some apprehension in the minds of the Company, or whoever wrote this, that some mischief, if it has not already come to the society by this distribution of money, may come either by the funds that have to be applied to this purpose becoming so very very much larger, or by the number of applicants becoming fewer?

I do not see any apprehension whatever. We have certain trust funds which at present very nearly satisfy the demands upon them. The applicants, it appears, are becoming fewer, and thereupon we say, when that stage of things arrives, we will go to the Charity Commissioners for a scheme for the appropriation of such funds as we have not applicants for according to the present scheme; I should have not applied the word "apprehension" to that, I should apply "foresight" or "fore- "thought," or any other term indicative of good management.

The number of applicants who receive relief, if I understand you, I do not know whether I gather that from this return, would depend upon the character that they bear?

The number does not depend upon the character; that is to say, if you have a sufficient number of good character and sufficient funds to relieve them, and also the other conditions as to age; but we make the strictest possible inquiry into the character of the applicants by personal visits and examination of every kind and description, and no person not of good character gets relief or keeps a pension, for these are only given during pleasure.

Therefore this relief does not go to the poor of the Company generally, but to so many of the poor of the Company as the Company thinks have a sufficiently good character to entitle them to receive it?

Quite so, it is not lavished upon unworthy objects. It is lavished upon those of good character who need it, or rather not lavished, but spent.

With reference to the old term with which we are so familiar, "the "deserving widow" and "the deserving poor," I am curious to know what is the standard of a deserving person in your Company, and how you arrive at the test you apply?

Here is a book (*producing same*) which comes before the Court when the matter has to be considered, and if you will be good enough to open it anywhere, you will find the amount of information that we insist upon having before any relief whatever is given.

I will take the first case?

Here is another book of men's cases (*producing same*).

"Fanny Wall, age 56, the unmarried daughter of a freeman, and she

"is at present residing in Wales with her friends, and dependent upon "them and the donation from the Company." Did she come up from Wales to satisfy you or those who examined her as to whether she was deserving or not? Deputation from Goldsmiths' Company.

I do not know that she came up from Wales, but you will see by the reference there that that must have been not a first application.

I took this quite by chance?

Quite so, and you see the words "and the donation from the Com- "pany." It is clear, therefore, that she had applied on a previous occasion.

May I ask has that woman ever been seen, has she ever been up to London to give any account of herself, or how did you ascertain that she is deserving?

I cannot tell you whether that particular woman ever came up. Those who reside in London certainly are seen, and in many cases we pay their fares to come up to London, but one is content to take a good deal of evidence from the parson of the parish and persons of that character.

You fall back upon the clergymen?

Yes.

Is his opinion invariably taken with reference to these people?

I do not know about "invariably taken," but if I get a recommendation from a clergyman of the Church of England, or any other minister, I think I have a very good foundation to start from.

That a person was deserving?

I say I think that, if I have got a recommendation from a clergyman or any other minister, I have a good foundation to start from. But we should not limit ourselves to that. We should not say at once that, having got the recommendation that precludes all inquiry; on the contrary, we make every inquiry.

Supposing the father of this woman had been an improvident man, and she herself had perhaps not done the best that she could have done for herself, would that be taken into consideration, would that affect her character as a deserving person?

As far as her own conduct was concerned, unless there had been reform, that would be taken into consideration as affecting her character. As far as the sins of the parents are concerned, we should not think of visiting them upon her.

You do not visit the sins of the parents upon the children?

No.

Now as to the deserving widow, take a case of that sort—suppose the husband had been an improvident man, and had made no provision for the widow, what view would you take of such a case as that?

We should inquire into the character of the woman herself, and if we thought that she was doing all that she could, and struggling to keep herself, as these poor creatures do, trustworthy, honest, sober, and respectable, we should not visit her husband's sins upon her.

You would not go so far as to inquire whether she, during her married life, had tried to check her husband?

No; I should think that those are details which one could hardly go into. All I can say is, that we make a very exhaustive inquiry.

As long as she is a deserving widow you are content; if she had not been a deserving wife it would not be a matter of so much importance?

I cannot help thinking that that is a technical criticism. As long as she was a deserving woman and in a state of widowhood, we should relieve her. If she had been a very unsatisfactory wife, and there was no great change since, we should not relieve her. I should like to put this case to you. I will not mention names, because these reports are

Deputation from Goldsmiths' Company.

printed, but in my young days you could not take up a pack of cards without seeing the name of a particular card-maker upon it, a man in very good business indeed, who was a freeman of this Company. That man died, his business fell away, he left children without any sufficient property; the little that they had dwindled year by year, and at the present moment one of his daughters (who, I should think, is seventy-five years of age) is living, having been brought up in the better middle class, with all its associations and surroundings; and there is nothing but this Company between that unhappy lady and the workhouse. Now that is my notion of a deserving case, and such as that these Companies very properly relieve.

Where does that unhappy lady live now? Does she live in England?

Yes.

What part?

In London.

In the City?

No; she cannot afford to live in the City; she lives in the suburbs.

Has she no one to lend her a helping hand?

She has no one to lend a helping hand. Every one who would have done so has died off. I know the family.

Is that very creditable to the community in which we live?

I think it would be very discreditable to the community if the work which is done by bodies such as these Companies (which is very often difficult work) were left to be done by private individuals.

Will you tell me the course which is pursued before one of these persons gets on to the relief list? Who do they speak to first?

They apply to the office of the Company.

They do not appear in the first instance, they petition?

They petition.

They send in a written petition?

Yes.

Can we see the form of that petition, is there a printed form for that purpose?

No.

Then what takes place next?

It is read at the next Court; it is then ordered, or not, according to the opinion of the Court (and they almost always order these cases for examination) to be referred to the Committee.

Is that the Committee which deals with the charity?

It is a Committee of the Court, formed of thirteen members, four wardens and nine members of the Court of Assistants. They, if they think well, direct inquiry to be made; then it comes up at the next Court for confirmation. An inquiry is personally made by the beadle of the Company in all cases where he can obtain access to the person to be relieved.

The first direction of the Committee is that the beadle should inquire into it?

It follows as a matter of course; it is his duty to do it.

Does the beadle inquire into the moral character of these people?

Yes.

Is he a good judge of morality?

He is not the judge; he is the person who makes the inquiries; we are the judges.

Does he judge of the morality of these people by their appearance or by their dress, or what takes place? I want to know exactly what takes place.

He makes the usual inquiries that a prudent man would make, whose

business it is to ascertain the facts, and those answers to the inquiries having been written are read out to us, and if we do not think them sufficient we order further inquiries to be made. Deputation from Goldsmiths' Company.

Still keeping the beadle as the inquiring officer?

Still keeping the beadle as the inquiring officer.

He takes the statement of the applicant, I suppose?

He is furnished with the petition; he then goes and makes full inquiry into the circumstances. As to how the beadle inquires into the circumstances, I should say that I presume he does it very much in the way one of us would do it if we were sent.

And when does the clergyman come in?

Never.

I thought in one earlier case you stated that probably in such a case as that the clergyman would come in?

I thought you meant the chaplain of the Company. The clergyman comes in when we want corroboration that we may not be able to get by personal inquiry, but it need not be of necessity that of a clergyman. It may be a magistrate or any person of position, a person whom you believe to be a gentleman, and whose word you would trust.

Are any of these recipients of charities Dissenters?

I do not know. We do not inquire into their religion. We inquire into their moral character.

Does it come to this, that the beadle is the person who inquires into their moral character, and who lays the facts before the Court, and that the Court are the persons who judge of the facts?

Yes.

But you get the idea of morality strained through the beadle, and the facts of the case?

The beadle makes inquiry, and then the applicant comes before the Court before the donation is given.

And through the intermediate agency of the beadle 10,000*l.* a year goes out to the deserving poor, deserving in the view of the beadle?

You can put it in that way if you please. I know that the word beadle has become a sort of a joke, that the beadle is a man in a cocked hat and with a staff in his hand, and so on; but I do say that we have a competent and intelligent person. It is the particular duty of his office, as a competent and intelligent person, to collect the facts; those facts are brought before the Court, and are weighed, and if they are not thought to be sufficient, others are asked for, and finally the applicant himself or herself is seen.

I do not wish in any way to make any reflection upon the beadle, and I will use another word. I know the office of beadle has been connected with Oliver Twist and all sorts of things, and I do not wish to treat it in that way for a moment. I have no doubt that your beadle is a well-paid man and an efficient man, but may I ask another question? In the selection of the beadle,—I will come to that,—do the Goldsmiths' Company endeavour to obtain a man who shall be a judge of morals, and a judge of nature and character, because that seems to me to be very important?

We endeavour to obtain a man who shall be a man of very considerable intelligence; as a matter of fact, the man that we have got at present was master of St. George's Workhouse.

Which St. George's?

St. George's, Hanover Square, I believe; a position which we thought was not a bad training for a man who was required to discriminate between imposition and non-imposition.

All of them who are within reach appear before the Court, you say?

Deputation from Goldsmiths' Company.

They do. Occasionally we have cases of bed-ridden persons, and so on, whom we do not insist upon being produced.

Do you hold the opinion that it is not desirable to apply for any scheme to regulate the administration of these large charitable funds, or to apply them in any other way?

I hold that it is desirable to apply for a scheme to regulate those funds whenever they happen to be in excess of the objects for which they were originally designed; but with respect to the funds which have at present an object, I believe that we ourselves are perfectly competent and do quite properly administer those charities, and I am at a loss to see that, because persons happen to be in a particular Charity Commission, or anything of the kind, they are more competent than we are.

You do not think the time has come yet at all events for any such scheme?

I trust not; a scheme for applying surplus funds has been applied for since the return was sent in. Mr. Prideaux will tell you more about it.

That means the surplus beyond 10,000*l.*?

I do not think it is 10,000*l.* Mr. Prideaux will give you the details of the scheme.

Mr. Alderman Cotton: Much has been said about the properties of the Companies and their ultimate distribution. Do you think that the property of your Company could be better administered or do more good, if placed in other hands, than your Company is now doing with it?

I do not.

You are in the habit of subscribing liberally to all schemes for the public good, and perhaps I might say that the other large Companies are in the habit of doing so?

I know, as a matter of common report, that they are. I know in my position as the Chairman of the Executive Committee of the City and Guilds of London Institute that they subscribe most largely to that, and with respect to my own Company, I know, of course, its very large contributions to all matters of public utility.

Much has been said as to the hospitality of the Company. I suppose it is a question that must come out, do you consider the hospitality of your Company to be beneficial in any view at all?

I do. I think there is very great social benefit arising from it. I wish to say this in answer to the chairman; I have already expressed my views, so far as they are worth anything, not being a lawyer, as to what our position is with respect to our property, and that, therefore, even if we had not used it well, it is very doubtful to my mind whether we ought to be the subject of inquiry; but I should like to say this, and I say it boldly, that I believe we have used our property as creditably as ever property has been used by any private owner of property, and that we have done everything which a right-minded, high-minded private owner of property would have done, with the one exception that we have not used any part of it worth talking of (a wretched fifty guineas a year, or something of that kind) for ourselves.

Mr. James: With reference to what has fallen from my friend, Mr. Pell, perhaps you are aware that there are some persons who say you cannot spend money badly, so long as you do not give it away. I suppose you are not one of those?

There are persons who say that if you find a man lying in a ditch with a broken leg, you ought not to pull him out, because it may encourage others to fall into ditches carelessly.

Deputation from Goldsmiths Company.

You state in your letter that you do not think that out of your gross income 6000*l.* a year is a large sum to spend in entertainments?

I do not. I think those entertainments are of very great use indeed. They bring together different classes of society. I know that I, who have not very much opportunity of mixing with men of very high position, have that opportunity there; and there has been a certain amount of utility in it. I believe that these meetings really do very great good, and that if they existed elsewhere they would be found to do good in other countries. I must put this to you. When a successful general comes home the first thought of the people is to give him a dinner. They give one at Willis's Rooms. They spend as much rateably upon that dinner as we spend upon ours. That is looked upon as perfectly legitimate, but if the same man is invited to come and dine at our hall, and the dinner is paid for out of our funds, some very hard words are used about it. Some witnesses who have been before you have said that which is not true about the unedifying scene at the hall when visitors are leaving. All I can say is, that our members are a body of gentlemen, and I have never seen anything contrary to that character. I repeat that in the view of some people that thing which is right in itself when done by subscribing and entertaining at Willis's Rooms, becomes wrong directly it is done within a City hall. I cannot understand that.

Do not you think that those things are very much matter of opinion?

I think they are, but I think that my opinion and that of those who have got the property is quite as good as that of those who have not, but who want to take it. I think it is very like the case of a private individual being subject to the criticisms of a censor who might come, for instance, to me and say, "You keep very good books, Sir Frederick "Bramwell. I have looked over them, and I see that you have so many "dinner-parties in a year, and they cost you so much."

You look at it in that light?

I do.

You do not think that the goldsmiths of the United Kingdom are entitled to their opinion?

I do, and I think that the goldsmiths of the United Kingdom have expressed their opinion pretty strongly; there might be one who wishes the Company disestablished, but, with that exception, I would appeal to the goldsmiths of the United Kingdom.

Mr. Firth: You have told us that, subject to moral obligation, you think this property might be divided amongst the members of the Company?

No, I did not; I beg your pardon.

What did you say upon that?

I said I believed it was our own, and that might import that which you state, but I did not use those words.

Are you aware that some of the Companies have passed resolutions upon that question?

No.

I find that in the voluntary gifts you have given altogether 131,406*l.*: donations, 69,588*l.*; University exhibitions, 25,508*l.*; subscriptions, 10,853*l.*; technical education, 8658*l.*; schools, 7137*l.*; almshouses, 7405*l.*; and annuities, 2257*l.* That is outside the gifts and charities provided for by the wills of donors. Now with respect to technical education, down to 1877 I see you did not give 500*l.*, but since that time you have gone up to 2400*l.*?

In 1877 the Livery Companies (certain of them) came together for the purpose of establishing the City and Guilds Technical Institute, and the amount that our Company returns under this head prior to that date is

Deputation from Goldsmiths' Company.

that which was given for the support of that special technical education which we had ourselves instituted some years before, for the encouragement of our own craft in artistic design, travelling scholarships, and so on, but after 1877, when the Companies met together to establish the City and Guilds of London Institute, the Goldsmiths' Company determined to become one of the body, and then the contributions appear, and those contributions have very considerably increased since that date.

There are four societies in connection with your trade, I think, specifically mentioned. The Silver Trade Pension Society, the Watch and Clock Makers' Asylum, the Goldsmiths' and Jewellers' Annuity Institution, and the Goldsmiths' Benevolent Institution?

Yes.

To those four you have given 6448*l.*, $1\frac{1}{2}$ per cent. upon your expenditure. Are you aware that they have made complaint about not having more?

I do not know it, but I do know that without complaint we have very largely increased our contributions.

What is the fee for attending at the Court?

The fee for attending at the General Court is three guineas, and at a Committee of the Court two guineas.

Can you give me a notion of the sort of business done at a General Court? For example, suppose you were to meet to-day as a Court, what would you have to do?

I think I can give you a very accurate idea. In the first place the minutes of all the proceedings of the committees are read over and submitted to the Court for consideration and approval, and for confirmation if they think proper. Those minutes very often occupy a considerable time in reading; they relate to a great variety of matters, everything in point of fact connected with the general business of the Company. The Court of Wardens is held once every month, the minutes are read over, and those minutes also are submitted to the General Court for their consideration and approval. All matters are brought forward on notice of motion, which is required to be given at a preceding Court. Then if any member has given a notice of motion, he moves it. If two or three members have given notices of motion they move them according to their seniority, and the matters are discussed.

Without at all wishing to penetrate into secrets, I do not for one moment suggest that there are any secrets to penetrate, give me a notion, if you do not mind, of what sort of motion is brought forward and discussed; conceal any name you like, but give me a notion?

We will take one thing. Some time ago Sir Frederick Bramwell brought forward a motion that we should give 1000*l.* in aid of the endowment of chemical research, that was opposed, some of the members thought that we had nothing to do with chemical research; others thought that we had a great deal to do with it.

Forgive me for interrupting you, but for Sir Frederick Bramwell to give notice of motion to vote 1000*l.* must be a little out of the way; it is not an ordinary matter of business, I suppose?

I think so.

Sir Sydney Waterlow: Can you form any idea, or give the Commission any figures which would guide them as to the proportion of property held by the Goldsmiths' Company which consists of property formerly held for superstitious uses, and which was purchased by the Company from the Crown in the reign of Edward the 6th, as compared with property derived from other sources?

Yes, I made a calculation upon that very point. I had it all taken out,

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and I find that 28,681*l.* represent the rents of property of that description; that is the property which we bought back from the Crown that became forfeited in consequence of the superstitious uses.

What proportion does that bear to the income arising from other property?

It is 28,000*l.* to about 54,000*l.*

Are you referring to corporate property?

No, I am referring to the whole income of the Company.

Corporate and trust?

Corporate and trust.

But setting the trust aside could you give any idea of what proportion of the corporate income is derived from the property formerly held for superstitious uses?

Yes, the trust property amounts to about 10,000*l.* a year, therefore it is 28,000*l.* to 44,000*l.* or 45,000*l.*

The Company are very generous benefactors, are they not, in the way of giving exhibitions at Universities?

We give a very large number of exhibitions.

Do you happen to know how many?

It is seventy-five.

The CHAIRMAN: At the two Universities?

Yes, equally divided between the two.

SIR SYDNEY WATERLOW: Between Oxford and Cambridge?

Between Oxford and Cambridge; it is all set forth at very considerable length in the return.

Will you tell the Commission how you elect those who are to have the benefit of these exhibitions?

By merit. They apply, and after the applications have been received, and a day is fixed closing the time when they are to apply, a list is sent to Oxford and to Cambridge, to two examiners at each University, who hold an examination and send us a report, and we act upon that report. I think it is best expressed in the language which I have used here as to the exhibitions. "A student who desires to become a candidate for "one of these exhibitions must have been in actual residence at his "college one term, and if at Oxford must have passed the responsions, or "the examinations accepted by the University as equivalent to the "responsions, before the time appointed for the return of the petition, "and his income arising from preferment at college or elsewhere must "not amount to more than 70*l.* a year, exclusive of the Goldsmiths' ex-"hibition." Then we have stated here, in another part, that it is chiefly done by examination. We say: "They are tenable for sixteen terms "at Oxford and twelve at Cambridge, and are awarded solely by "competition modified by consideration of the necessities of the student "and his parents or friends. For instance, if *A.B.* stand above *C.D.* in "the examiner's report, and his father have an income of 800*l.* a year, "*C.D.* being dependent upon a father in straitened circumstances, *C.D.* "would be preferred to *A.B.*, who would probably not be elected at all. "These exhibitions are open to the whole University. A student re-"lated to a member of the Company has no preference whatever." Nor do I ever remember any exhibitioner who was related in any manner to any member of the Company.

I believe they are given the chance, irrespective of religious denomination?

Entirely.

Can you tell us whether any students to whom you have granted exhibitions have taken any honours?

A very large proportion. I am sorry I have not the document that

Deputation from Goldsmiths' Company.

I prepared the other day for the Court. I thought it would be exceedingly pleasing for them to know that three-fifths if not four-fifths of our students took honours.

I may take it then that this part of the expenditure of the Company has given great satisfaction to the Court?

Great satisfaction.

Sir Frederick Bramwell gave the Commission some information in relation to the funds appropriated to the relief of poor freemen and members of the Company. Have the Company found that the property left for that particular purpose is growing, if anything, rather larger than is necessary?

Undoubtedly.

Has it been a constantly improving property?

I think I may say constantly improving.

And is any part of it property which is likely still further to improve in the course of a few years?

I think so; I think that that property is particularly likely to improve.

I think I understood Sir Frederick Bramwell to say the Company were considering an application to the Commissioners for a scheme which would enable them to appropriate a part of these funds in some other direction, probably *cy-pres* to the original object?

We have done more than that.

Will you tell the Commission how far you have progressed?

When the return was sent in to the Commissioners, there was the following remark in a note attached to it:—"An examination of this return "will show that four-fifths of the income of all the charity property vested "in the Goldsmiths' Company is applicable to the poor of the Company, "and it will be seen by the accounts that the annual amount expended for "the relief of poor freemen and poor widows and daughters of freemen is "considerably in excess of the income applicable to those objects. A "large number of the freemen of the Goldsmiths' Company belong to "the artisan class, and become objects of the bounty of the Company in "consequence of sickness, age, and want of employment. No deserving "member of the Company, no deserving widow, or unmarried or widow "daughter of a freeman falls into poverty or decay without receiving, "on application to the Company, pecuniary assistance. The number of "persons applying for pecuniary relief, however, diminishes year by "year, and the time may probably come when the improved annual value "of the Company's trust property, and a diminution of the number of "persons requiring relief, will render it desirable for the Company to "take into consideration the expediency of applying some portion of the "income of the trust estates under a scheme to be approved by the "Charity Commissioners in a manner different from that provided by "the wills of benefactors. The income derived from Perryn's estate, after "providing for the fixed payments directed by the will, may, in accor-"dance with the trusts of the will, be applied for educational purposes." At the time when this was written I was not aware that there were certain properties falling in, certain increased rents accruing to the Company from a Charity property of a very large amount, at least I was not aware of the extent to which this was so, and very shortly afterwards I found that the income of the charities trust property was more than sufficient to satisfy all the claims upon it.

May I ask you whether, without disclosing secrets of the Company, you could give the Commission any idea of the objects and purposes to which such surplus, as it might arise, would be applied; would it be applied, do you think, to technical education?

Deputation from Goldsmiths' Company.

We actually applied to the Charity Commissioners for a scheme last year, I think at the beginning of last year, and they in reply said they were not disposed to entertain any application for a scheme so long as this Commission was sitting, and of course we were stopped, and we have now a considerable sum of money which we know not what to do with. With respect to technical education, I think that we should not ask to apply it to that. I think we have determined to apply so very large a portion of the income of our *general* corporate property to technical education that it would not be necessary or desirable that we should do so. The scheme that we proposed in the application that we sent to the Charity Commissioners was this, "With this in view, and for the "purpose of simplifying our accounts, I propose to apply to the Charity "Commissioners for an order enabling the Company to consolidate all "their charities founded solely or partially for their poor, providing that "the whole of the revenues applicable thereto shall be carried to the "credit of one account with an appropriate heading, and that all pay-"ments for the benefit of poor freemen, widows, and daughters of "freemen, whether by way of pension or donation, shall be debited "thereto, the balance, whenever there shall be a surplus, to be carried to "an accumulation fund, the application of such fund for some charitable "object, such as the founding a Convalescent Hospital, establishing "additional pensions for the blind" (that we have very much at heart at the present time), "or the advancement of education, to be decided on, "with the consent of the Commissioners of Charities, so soon as it shall "amount to 10,000*l*."

Passing from that subject, you told the chairman just now that your Court consisted of twenty-five members. Do you find from your long experience that a Court of twenty-five members is sufficient to practically conduct the affairs of a Company like yours?

I do, I think it is a very convenient number.

As a matter of practice, are the Court generally elected from the livery by seniority, or is it rather more by the choice of those whom the Court think would be the most eligible men of business?

Certainly not from seniority; we might have by that means very unfit persons. It is really the persons whom we think are the best men of business and persons of the best station.

Then, as a matter of fact, some are passed over and others are selected?

There is no doubt about it, and there have been no complaints from our livery.

You told the chairman, at least I understood you to say to the chairman, that you had no case where there were two relations, members of the same family, on the Court?

None whatever.

From your experience, would you think it an objectionable course to have four or five members of the same family on the Court?

No, I do not know that it is objectionable, in fact I have known certain cases in which there are persons of the same family on the Court, and in which, I believe, the business is remarkably well managed.

Mr. Pell: Are the exhibitions at the University entirely open; is there anything of a nomination to begin with?

None whatever.

They are open to the whole world, then?

They are open to the whole world in fact.

Only you make some little distinction, after the examination is over, in favour of those who are very needy?

We take that into consideration. I think if the parents of the man who was first on the list really were in a very good condition, say that

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the father had an income which we thought did not justify him in applying for an exhibition, we should not give it him.

I suppose you have power to increase those exhibitions if it were the will of the Court to do so?

We have done it. I think you will find, in the paper that we have sent in, that we have given an account of the way in which we have increased them from time to time, with the annual increase of our income.

In this long list, can you tell me whether there is a single object entered in which the poor who are helped are called upon to be doing anything for themselves, or are all these institutions which you assist entirely supported by voluntary contributions?

Without going through the whole of them it is exceedingly difficult to say. They are nearly all of them great public charities, such as the Royal Naval School and the Consumption Hospital.

I have looked them through, and perhaps it would be better for me to put it in this way: has the Court considered it desirable in the distribution of its charities to attempt to encourage thrift?

Most decidedly, and I may say as to the reports made to the Court that the officer is instructed to make minute inquiries as to whether the applicants have been thrifty persons or unthrifty persons.

Mr. James: With regard to the distribution of these charities I will ask you just one or two questions with regard to the discrimination which you make between the deserving and the undeserving; are you able to discriminate between the deserving applicants and the undeserving?

I really think the best way to answer that question would be to have in the person to whom I alluded, who makes these inquiries, to have his reports in, and to interrogate him, to show exactly what takes place. I may say the course is this: he is directed to make minute inquiries; he not only goes to the people to whom the applicants refer him, but he also applies to other people. He tells me it very frequently happens that people will refer to persons whom they are sure will give a favourable report, but he inquires what their antecedents have been; he finds out, for instance, for whom a man has worked, and he always goes and makes application to that person. He then has always come to me first, and has gone over his report with me, and stated to me what inquiries he has made, and has asked me whether I consider they were sufficient. I have very often found that they are not sufficient, and I have ordered him to make further inquiries. When the inquiries are complete, then the case is presented to the committee, and the applicant is directed to attend. The members of the committee make such inquiries as they think proper, and I must tell you that a very large number of applicants are refused altogether. When we find that a man has been of intemperate habits, and, in fact, that his poverty arises from want of thrift, or from drunkenness, or any other act of bad behaviour, his application is refused.

By Mr. Firth: One word with respect to your poor. I find that the Charter to which you draw our attention recites amongst others one of your earlier Charters of Richard II., which I presume therefore is still in force, and which says this: "Know ye whereas Edward our grand-"father late King of England, at the suit of the goldsmiths of our City "of London, suggesting to him how that many persons of that trade by "fire and smoke of quicksilver have lost their sight, and that others of "them by working in that trade became so crazed and infirm that they "were disabled to subsist but of relief from others; and that divers of "the said City compassionating the condition of such were disposed to "give and grant divers tenements and rents in the City to the value of

"twenty pounds per annum to the Company of the said craft towards "the maintenance of the said blind, weak, and infirm, and also of a "chaplain to celebrate Mass amongst them every day for the souls of all "the faithful departed, according to the Ordinance in that behalf to be "made, did by his Letters Patents for the consideration of a fine of ten "marks, for himself and his heirs, as much as in him lay, grant and "give licence to the men of the community aforesaid that they might "purchase tenements and rents in the same City of the value of twenty "pounds per annum, and not above, of the men of that City, for relief "and maintenance of such blind and infirm and of such chaplain as "aforesaid. To hold to them and their successors of the same society "for ever for the purposes aforesaid; the statute workman or any other "statute or ordinance to the contrary thereof notwithstanding, as in and "by the said Letters Patents more fully and at large it may appear." Can you tell me how much of the money which is now given to the poor of your Company is given to the poor of a trade? Deputation from Goldsmiths' Company.

I think I have stated that in the Returns, but I think I can give it you now. The number of freemen pensioners who are or have been connected with the trade or craft of Goldsmiths or Silversmiths is thirty-four.

SALTERS' COMPANY.

THE following gentlemen attended as a deputation from the Salters' Company :— Deputation from Salters' Company.

Mr. Arthur Bowdler Hill.
Mr. Frederick Le Gros Clark, F.R.S.
Mr. Thomas Hicks.
Mr. Henry William Eaton, M.P.
Mr. Alderman Fowler, M.P.
Mr. E. Lionel Scott (Clerk).

CHAIRMAN to Mr. Clark: We understand that you wish to contradict or modify some statements made by Dr. Todd in his evidence with regard to your Company, or that you have some statement to make with reference to it. We have certain statements before us which were made by Dr. Todd which you do not exactly accept as accurate, we understand?

We have made our answer in the short statement which has been drawn up and handed into the secretary.

I see you say here that you have spent in all 51,000*l.* upon your estates in the last twenty-eight years?

Yes.

I see a complaint was made by Mr. Brown, a gentleman who appeared here as a witness, to the effect that there is considerable poverty prevailing on the Salters' estate, because during the bad years the Company never made them any reduction or allowance on the rents; do you admit that statement?

It is answered in the paragraph which I will read to your Lordship: "Mr. Andrew Brown, a tenant on the estate, who gave evidence before "the Commission, also on the twelfth day, complains that an appeal which "was made against an advance of twenty per cent. put on a portion of the "estate in bad years, was rejected." Now this bare paragraph, as it stands, would tend to somewhat mislead those who read it without being acquainted with the circumstances, but the answer is given in the next

Deputation from Salters' Company.

paragraph: "This augmented rent was an addition of twenty per cent on a "small section of the town-park holdings, which had been reduced ten "per cent. in 1855, and not increased when the rentals of the agricul- "tural holdings were raised ten per cent. in 1866. The aggregate anunal "accretion of rent from this source amounted to about 150*l.*, and simply "placed all town-parks and agricultural holdings on the same footing."

It is also stated, I observe, that the recent appeal for a reduction of rent was rejected; that you deny?

No, we do not deny that we rejected it. The paragraph which follows states: "It is true that the Company declined to adopt a general reduc- "tion of their moderate rental, which, for agricultural holdings, is about "ten per cent. below the Government valuation; but they promised to "take into consideration individual applications for relief, and to deter- "mine them on their respective merits. This decision has been acted on, "and in several instances remission of rent has been granted, and pecu- "niary assistance afforded to needy tenants." I may say this has been done to a very considerable extent. We have always fully taken into consideration the nature of the appeal and the character of those who are appealing to us.

And in reply to the statement that nothing has been done upon the farm except by tenants, you answer that you have spent 16,000*l.* on the rural districts, and 12,000*l.* odd on the town holdings?

Yes; and the particulars are given in the table below in our reply.

Sir Sydney Waterlow: Is it not true that the Salters' Company paid a sum of money at the beginning of the seventeenth century for their share of the Irish estates?

The Salters' Company paid a sum of money for possession of the Irish estates.

For their share?

Quite so.

Is it not true that shortly after that, whatever trust there was on the Company's property that was transferred in fact to the Irish society, and that the Company's properties have been sold, and that it has been acknowledged that there is no trust impressed,upon them?

Yes, quite so. The property of the Company, as I understand it, was by the act of the Star Chamber taken from the Companies, and restored to them when it was proved that that dispossession was unjust and illegal.

Is it a fact that the Salters' Company have expended large sums of money in public buildings, especially in the erection of churches in the district in which your land is situated?

It is quite true.

And not confined to any particular denomination?

No.

Is it a fact that you have contributed towards the erection of Roman Catholic churches?

Quite recently we have contributed 1000*l.* towards the erection of a Roman Catholic church, besides giving the site.

Have the Company throughout the time they have been the owners of this estate sought to benefit the people quite apart from any sectarian views?

Entirely so.

Their schools have been always open to all denominations, have they not?

Yes, they have been. We have made no difference between Presbyterians, Episcopalians, or Roman Catholics.

Mr. Firth: I find that your Irish estate income for 1879-80, accord-

Deputation from Salters' Company.

ing to your return, was 12,309*l.*, deducting balance carried forward, 840*l.*, that leaves an income of 11,469*l.*; and I see that something over 2000*l.* was devoted to the objects you speak of—2125*l.*; is that about the usual proportion of your income that you apply for Irish purposes?

I should think a larger proportion than that out of our income, certainly.

I have the figures here. With respect to your English expenditure, perhaps I might ask you a question. I find that your total English expenditure was 29,790*l.*, but there are items with respect to the purchase of land from the Sadlers' Company and the Dyers' Company; you purchased their shares of the Irish estates, did you not?

We have done so.

There remains of current expenditure, as I read your account, five items on page 24: Expenses of maintenance, 7275*l.*; entertainments, 3046*l.*; gifts, 1574*l.*; subscriptions and donations to decayed members and their relatives and others, 2508*l.*; technical education, 575*l.* You did not give anything to technical education before 1878, I think?

No, I think that was the first year in which we gave anything.

Will you kindly tell me with respect to the other item as to gifts to decayed members and their relatives what that means; do you give to the relatives of your members?

Those who are related, such as widows and daughters. Every case is carefully investigated, of course.

The items of current expenditure I have read over amount to 14,978*l.* I see that those two items, maintenance and management and entertainments, amount together to 10,322*l.* Do not you consider that a large proportion of your current expenditure for maintenance and entertainments?

That includes a great many items.

They are all put by you as maintenance and management. It is the second item to which I refer: "Rates, taxes, insurance (mostly repaid "by tenants), salaries, wages, professional and other charges of main- "tenance of buildings and management, 7275*l.*" Then there are entertainments, 3046*l.*?

Yes, that is quite right.

My question was, do not you consider the 10,322*l.* a somewhat large proportion to expend out of a current expenditure of 14,978*l.* for those purposes?

Of course, it is a matter of opinion whether it is so or not. If each item is carefully investigated I do not think it will be considered a large proportion.

Do you pay anything to your Court of Assistants or members of committees for their attendance?

We do.

What proportion is paid to the members of the Court?

2130*l.*

Mr. Burt: In answer to Sir Sydney Waterlow, I understood you to say that what you give for any purpose is given entirely on unsectarian grounds?

Entirely so.

With regard to the next item mentioned here, Ministers and Church Sustentation Fund, church buildings, parsonages, &c., is that the Church of England?

You will find in the second page, "Support of education, church "building and parsonages."

It is the Church of England, I suppose, in that case?

Deputation from Salters' Company.

No, not exclusively. You are speaking of the Church of Ireland, I presume?

Yes. With regard to charitable and other donations, on what principle is that money given; is that also entirely irrespective of creed?

It is where applications are made to us for relief.

Persons connected with the estate, I suppose?

Yes, certainly; they are our own tenants.

With regard to the apprenticeship, is it merely nominal or are the apprentices really apprenticed to the Salters'?

Our apprenticeship is actual servitude. We inquire very carefully into that, and some of our officers look after the apprentices from time to time to see that it is actual servitude.

Mr. Alderman Cotton: Do you consider that the money which you give in charities, that is to say, in pensions and annuities of that kind, does a very great deal of good?

I do, certainly.

Do you consider that by supplying these pensioners with moneys you save them going upon the rates or going into the workhouse?

Certainly, or from becoming absolutely destitute.

Their home would be the workhouse if it were not for the assistance you give them, would it not?

Yes, in a large number of cases, no doubt. We have some very sad cases, where the applicants have been the children or widows even of members of the Court.

IRONMONGERS' COMPANY.

Deputation from Ironmongers' Company.

The following gentlemen attended as a deputation from the Ironmongers' Company:—

Mr. F. J. Barron, Master.

Mr. W. Bevan, Senior Warden.

Mr. J. T. Horner.

Mr. H. R. Price.

Mr. William Gribble, of Scriveners' Company, on behalf of Associated Companies, and

Mr. R. C. A. Beck, Clerk.

Chairman to Mr. Barron: We have received from you two printed statements, one relating to your Irish estates and the other to your property in general, which have been put before us as part of the evidence, and which I think it will not be necessary that we should read, as they are in print in the hands of the Commissioners. Is there anything you wish to add?

We would respectfully submit that you allow them to be printed on your minutes of evidence, if you take them as read.

Chairman: This shall be done.

Have you anything to add to what has been stated in those papers?

Only as to the Irish estate. We ask your Lordship to hear Mr. Rokeby Price upon that.

To Mr. Rokeby Price: I understand you to wish to make some supplementary statement with regard to your Irish estates?

Yes, we wish just to draw the attention of your Lordship and the Commission to the fact that the statement made by the deputation from Ireland which attended before the Commission is incorrect in saying

that it is a trust. We wish also to mention that we did in 1764 redeem the tithe entirely on behalf of our tenants, which cost us 1115*l.*; by that payment we extinguished all tithe for the future. We wish also to draw attention to the fact that we have expended very large sums on roads, bridges, and fences, amounting to about 625*l.* a year. We give also 400*l.* to schools and other charities, and we have contributed, as we state in our statement, which your Lordship has before you, 200*l.* towards the preliminary expenses of the Derry Central Railway, and guaranteed five per cent. interest on 5000*l.* worth of shares for twenty-five years. We deny that the tenants hold from the middlemen from year to year; we deny that, and that they held on lease from 1841 for three lives. We wish also to draw the attention of the Commission to the fact that during the time we have had the property in our hands, which is since 1841, we have had but three evictions on the estate, and that was from circumstances which we could not possibly avoid. Having served on the Irish Committee for a good many years, I think I may say that we have had no application for a reduction of rent from any of our tenants, with the exception of a few from an estate called the Stirling estate, which we purchased a few years ago, and on this estate the rent had been raised shortly before we bought it; but since then we have reduced the rent. Otherwise the tenants proper of the Ironmongers' estate have made no application for the reduction of rents, so far as my recollection goes. Deputation from Ironmongers' Company.

I see that you state your present rental is six per cent. below Griffith's valuation?

That is true.

What do you mean by the statement which appears in the last paragraph of your printed memorandum, that in 1860 the Company established a tenant right equivalent to ten years' purchase of the rent?

I was just going to mention that; it is a very important thing. I believe our estate was the only estate in Ireland that had that custom. When the estate came out of lease from the Bishop of Meath there was no such thing as tenant right upon our estates. Our rents were then so low that tenant right arose, seeing then that we thought it would be a very bad thing to have an indiscriminate price for our tenant right, we established this custom, that if any person wished to give up his farm the Company would buy it at a ten years' price. It was sold to us (the Company), and we sold it again to the incoming tenant at the same price. Our policy was not to introduce any fresh tenants on to our estate, if possible, but to give the offer of any vacant farm to the neighbouring tenants. Our object was this: Our neighbours found out to their great cost, and it is now a still greater cost since the Land Act, that it was a very disadvantageous thing for a tenant to give an enormous price and to be saddled with a very large debt for the tenant right, he would not in that case be able to do justice to the farm. We have evidence now before us of three or four farms of ours having been sold in the last few months, where they have actually given 48 to 50 years' purchase for the tenant right.

Is not that more than the value of the freehold?

It is more than we can get. I can give the name of some such cases. Thomas Boyle, of Collins, is one; his rent was 8*l.* 7*s.*, and he has sold his interest for 400*l.* to an adjoining tenant, which is about 48 years' purchase. Widow Dempsey's rent was 4*l.* 9*s.*, she sold hers for 100*l.* Alexander Ranger's rent was 28*l.* 10*s.* 8*d.*, he sold his for 555*l.* Roger's rent was 11*l.*, he sold his tenant right for 315*l.*; and MacIntyre's rent was 10*l.* 17*s.*, and he sold his tenant right for 305*l.* net. And I am reminded by my colleague here that two of those have stated that we charged them too much rent before, a statement of which we never

Deputation from Ironmongers' Company.

heard until lately, a statement not borne out by the prices they obtained for their tenant right.

Sir Richard Cross: What dates are those?

Two or three of them within the last two or three months. There have been eight cases taken into court against us by our tenants. In those eight cases the Government valuation was 102*l.* 10*s.*, our rent 88*l.* 9*s.*, and we have been reduced by the judicial rent to 75*l.* 18*s.*

You said "the Government valuation," I suppose you mean Griffith's valuation?

It is the same—for Government purposes—it is Griffith's valuation. Our rent in 1881 was 88*l.* 9*s.*, and we were reduced by the judicial rent to 75*l.* 18*s.* We have appealed against those cases, and they are under appeal now. We have made one omission which I ought to mention. As an individual Company we have given to our tenants various sums. In 1881, when they applied for assistance in consequence of a bad season, we gave them 600*l.*, to be laid out in such a way as our agent and the tenants could agree for the benefit of the people by straightening mereings, roads, and drains, and all that sort of thing. That we have not stated in our paper which you have before you. We also wish just to draw your attention to some italics with regard to the Coopers' Company in the last two paragraphs on page 3. The date of the charter you see was 1609. In 1612 the Coopers' Company found that they could not pay the additional sum which was required, and the condition was that if any one of the Companies did not pay, they were to lose the money they had previously paid. The Corporation stepped in and bought of the Coopers' Company their share. The words are "the City is to receive "all the benefit and profit as well already due as hereafter shall grow "due to the said (Coopers') Company by the said plantation of Ireland." Then, in 1615, James I. gave us the licence "that the Companies may "in future reap some gain and benefit of their great travails and expenses "taken and bestowed thereon." I only mention that because it has been stated by Dr. Todd, or some other witness here, that we did not hold for our own behoof and benefit. We contend that we do, and we contend that the various Companies laid out 150,000*l.* for various purposes upon the property. It is not at all likely that we should have done that except for some benefit. Then, again, I wish to draw attention to the fact that we state here that Mr. Canning, who was then a member, and previously the Master of the Ironmongers' Company, was sent out there to be governor, and he sold an estate in Warwickshire of his own, and laid out certain money, as we state there, in building a church and doing certain other things on the Company's Irish estate, and acquired part of the estate, and resided there. He would not have done that if he had thought we could not convey to him with a good title. He would not have sold property in England and invested the money in Ireland unless he were quite certain that he had a good title in Ireland. We think those are certain points which are refuted altogether. We wish also to draw attention to the statement we made in the second paragraph of page 2. Dr. Todd, in his evidence to prove we held these in trust, lays great stress upon the articles of agreement which were made for the first time to make a plantation. It appears from records we have, as well as those of the Corporation, that there were two negotiations started. The first one failed; in fact, to use a common expression, it did not float. Then the Government came to the Corporation again, and entered into certain other negotiations with us. The articles to which Dr. Todd refers are the articles of the scheme which did not float or did not succeed. The articles we hold are those of a subsequent agreement, which are very different indeed, and which are set out in the

schedule in full. I do not know that there is anything else. If I have omitted anything, my colleagues here will put me right. I should just draw attention to one other point. On page 5 in the last paragraph we state: "In 1842 the Company's estate contained 12,686 acres, then "valued by the well-known valuators, Messrs. Nolan, at 5610*l.* per "annum, and let at 5509*l.*, chiefly on yearly tenancies to the tenants "actually in occupation at the expiration of the last lease which had "been granted by the Company on lives." Your Lordship will see that we put our rents at 100*l.* a year below the rents which those well-known valuators agreed upon, and in 1860, when the re-valuation took place, Mr. Nolan was sent for from Ireland and attended the Ironmongers' Company. We then gave him directions as to re-valuation, and told him not to make too excessive a valuation. He said he would not, and he did not. The result is what you have there. From 1861 up to this time we have had no complaints as to those rents, I think I may say, with the exception of those Stirling tenants. Having been three times over to Ireland on a deputation from this Company, I can say that on no occasion have I or my colleagues had an application in person for a reduction of rent. The last time we were over there it was known that we wanted to sell our estates, and there was an agricultural show there which the Company have every year, and, being there by myself on a subsequent occasion, I was besieged by the tenants and begged not to sell. I said, we must sell; and they said, we do hope you will keep us out of the hands of the Gombeen man and private owners. Those were the expresions made use of to me on that occasion. I think, if we had been such hard landlords, or that our rents had been too high, they would not have asked that; so long they had been our tenants, and they asked us to continue their landlords.

Deputation from Ironmongers' Company.

CHAIRMAN: Did they express a wish to buy themselves?

No; I should tell you that some of them would buy. Your Lordship will see that a scheme of acreage is given in our statement, and you will see that we have a very large number of tenants, and a number of them at very small rents indeed. That your Lordship will find in the original return. We have 541 tenants on our property at rents something like an average of 13*l.* a year.

MR. FIRTH to the Clerk of the Company: I should like to ask you about this return on the first page as to list of trust deeds, founding, regulating, or affecting the Company. You say there are none except the ordinances regulating the Company; what was the date of the ordinances?

25th January, 19th Henry VII.

Is that the last you have?

Yes.

Those would be settled under the statute 7th Henry VII., I suppose, by the Lord Chancellor and two chief justices?

Yes, they were.

You state on page 42 that the decisions and the proceedings of your Court are not published; but every member can ascertain them from the minute book, which is read at every Court. Do you mean that every member of the Company has that open to him?

Every member of the livery.

Any member of the livery can ascertain that information?

Yes.

Can you tell me who your apprentices were bound to; what was the trade to which they belonged?

At what date?

The last ten years?

Deputation from Ironmongers' Company.

They were apprenticed to any trade.

Were the masters *bonâ fide* trading?

They have to make a declaration that it is a *bonâ fide* servitude.

And they really served seven years?

Or five. They are apprenticed for five or seven years.

Living with the person to whom they are bound?

I do not think it is necessary for them to be living with them.

Attending at their places of business every week; is that so constantly?

I may say every day. It is not a colourable servitude.

Mr. Rokeby Price: May I just say that when I was senior warden of the Company, which was a few years ago, we had a certain firm of brushmakers named Pritchard, in Newgate Street, who had been members of the Company for generations, and I myself, as senior warden, whose duty it is always to do it, bound a young man to Messrs. Pritchard for five years, and I have every reason to believe that he is there still.

That is one case?

Yes.

Upon your accounts I notice that you return for the last year a total expenditure of 13,207*l.*; deducting the balance, 2,148*l.*, there remains 11,059. Is there any expenditure whatever for the interest of the Ironmongers' Trade Society in any way?

The Clerk: None at all.

Mr. Rokeby Price: We give ten guineas a year as a donation to the Ironmongers' Trade Society, but that is all.

That is among the 1028*l.* which is given for donations and gratuities?

Yes; it is a simple gratuity, like any other gratuity that we give.

The Clerk: The Ironmongers' Company have nothing to do with trade.

I notice in the last paper with which you have supplied the Commission to-day, you say that the Company is independent of any control by the City. Are you aware that the courts of law have held that the Courts are subject to the control of the City? Have you ever heard of a case?

I have heard that statement made.

Do not misunderstand my question. Have you heard or seen that it has been decided by courts of law that the Companies are subject to the control of the City?

No.

What is the statement that you had heard?

That which is referred to in the Grocers' statement. I cannot give you any better information than is given in that statement. The case is thoroughly argued out there.

You do not consider that they are under the control of the Court of Mayor and Aldermen?

No.

Nor, I see, do you consider that they form any part of the Corporation of the City?

No.

Have you considered this: suppose they do form no part of the Corporation of the City; if they were dissolved for any purpose (if you dissolved yourselves, for instance) do you consider that the Corporation of the City could go on?

I have not considered it.

You are aware that under your regulating Act in one respect the liverymen of a Company can vote for the Lord Mayor?

I am not aware.

Deputation from Ironmongers Company.

Mr. Gribble: The Scriveners' Company, my Lord, is one of the Companies associated with the Ironmongers' Company, who, in point of fact, contributed to find the money which was assessed upon the Ironmongers' Company. I only wish to say a few words as evidencing what was the thought and intention of the members of the Scriveners' Company of that day who subscribed their money, and to read you a resolution of the Company which was passed in 1626, showing that they themselves thought the money was their own, and that they were getting their share of the estates for themselves. It is signed by the different members of the Scriveners' Company. This is a copy which I have extracted from the books. "A Court of Assistants held the 10th day of "January, 1626. At this Court it is ordered that all moneys paid and "assessed to be paid towards the plantation in Ireland, and the Com-"panies' proportion and part of lands there, and the rents, issues, and "profits of the same shall for ever hereafter be and remain to the "general use of this corporation" (that means the Scriveners' Company) "and payable towards the providing and maintaining of an hall and "other necessary general affairs of this society, and not to be or retane "to the private or particular use of any, and for a general consent here-"unto the brethren of the said Company do freely hereunto subscribe "their names." That is signed by the members, and amongst those the father of an eminent man, John Milton. Then at "A Court of As-"sistants holden 25th October, 1627, Mr. Ashenden" (he was a member), "being demanded the money by him due for the Irish plantation, "desired to be respited till the next Court day, which the Court thought fit "to yield to, but if he do not then pay the same it is ordered he shall "be no longer dispensed with all." This shows that evidently in 1626, very shortly after moneys were advanced and the Company came into possession of the estates, they themselves considered that they advanced the money for the purpose of getting their share of those estates. My colleague, Mr. Price, has stated, I think, almost everything that can be stated. I am a very old member of the committee, I should tell you, which manages this estate, the oldest present member of the committee, therefore I know something about it. From inquiries which we have made we feel perfectly convinced that none of the tenants are in a position or will be in a position—I should rather say very few of the tenants are in a position or will be in a position—to purchase the estates. It is therefore idle to suppose that they will ever be purchased by them. They have not the means to do so, and they consider themselves better off with us as landlords to deal with than if they became owners of the estate, having interest to pay to money-lenders and usurers. I should have stated that I do not appear only for the Scriveners' Company, but for the Ironmongers' Company, and the Associated Companies as a body, I appear for the Associated Companies as a body because I know more about it than the other members. I am an older member of the committee than the other members of the committee. We are all acting entirely in unison.

Mr. Firth: I should like to ask you whether you have in your records any copy of the return which I find by the journals of the House of Commons was made by your Company to the House of Commons in 1724?

No, none. I can answer for that, because I have gone through all the books of the Company very recently.

CLOTHWORKERS' COMPANY.

Deputation from Clothworkers' Company.

THE following gentlemen attended as a deputation from the Cloth workers' Company:—

Mr. Edward Gregory (Master).
Mr. W. H. Townsend (Warden).
Mr. J. Bazley White }
Mr. James Wyld } (Assistants), and
Mr. John Neate }
Mr. Owen Roberts (Clerk).

CHAIRMAN to Mr. Townsend: We have your return and your statement; if there is anything else by which you wish to supplement that statement the Commission are perfectly willing to hear it?

Perhaps the statement would be taken as read, my Lord, as part of my evidence.

If you please.

There is one inaccuracy, if I may say so, which I wish to correct if your Lordship will permit me to do so. It is in the sixth page, five lines from the bottom. It is the case of the Attorney-General against the Haberdashers' Company. The reference is given wrongly to the fourth Brown's Chancery Cases; the case referred to should have been stated as in the first Mylne and Keen's Report, page 420, before Lord Brougham.

Is there any other correction that you wish to make?

None other, I think.

Is there anything you wish to add to the statement you have laid before the Commission?

I think not, my Lord.

SIR SYDNEY WATERLOW: Can you tell the Commission in round figures what percentage is spent on education and charity by the Company?

In a series of years or in the year 1880, do you mean?

Whichever is most convenient to yourself.

I think I can tell the Commission in general terms. We have taken three periods, 1802, 1842, and 1880, the last year to which the returns are made up. Speaking roughly, the total income of the Company in 1802, the corporate income and the trust income, amounted to 10,000*l.* Of that sum the sum of 2700*l.* was the income of strictly trust property. That being deducted would leave 7300*l.* as the amount of the corporate income. Out of that, the sum of 2300*l.* or thereabouts was spent in what we may call voluntary charity or benevolence, and 5000*l.* was spent in the management and the expenses of the Company generally. That would be a proportion spent in what I may call voluntary charity and benevolence of rather less than one-third of the corporate income of the Company.

That is in addition to the amount spent of course out of the trust property?

Yes; that I put on one side. That is, of course, strictly allocated to the trust, and is applied accordingly. Then in 1842, as I understand, the total income of the Company had increased to 20,000*l.* It had, in fact, doubled. Of that sum, the sum of 6000*l.* was the amount of the trust property income. That had rather more than doubled in the forty years. Deducting that from the 20,000*l.* would leave 14,000*l.* Of that

Deputation from Clothworkers' Company.

4000*l.* was spent for the purposes of voluntary charity and benevolence, leaving the sum of 10,000*l.*, that being 10,000*l.* for the management and expenses of the Company generally. That again would have been a proportion of rather less than one-third applied for the purpose of voluntary charity out of the corporate income of 14,000*l.* Going to 1880, the total net income of the Company had increased to about 45,310*l.* Of that the income of the trust property had increased to about 11,310*l.*, which being deducted from the other, would leave 34,000*l.* Of that 20,000*l.* was applied for the purposes of voluntary charity, leaving 14,000*l.* for the expenses of the general management of the Company. The proportion therefore of the corporate income which was applied for general charitable purposes in the year 1880 had increased so as to be very nearly two-thirds of the corporate income of the Company, and that proportion has still further increased in the two years which have elapsed since 1880. Thus we may say, in round terms, that of corporate income about two-thirds are applied for the purposes of charity, education (general and technical), and other benevolent purposes, leaving an outlay of about 14,000*l.* for the management and expenses of the Company generally.

As the income has increased, have the Company largely increased their expenditure on educational and charitable objects?

They have very largely increased their expenditure on education and other charitable objects.

I think the Company held a very valuable estate in Ireland some years ago?

They did.

When they sold that did they impose any obligations on the purchaser with reference to the maintenance of the charities and moneys for a period of years?

There was, I believe, no actual legal obligation imposed, but there was an understanding with the purchaser to expend sums amounting, I believe, to 242*l.* a year for the purposes of certain churches, schools, schoolmasters, and so forth on the estate for a limited term. The purchaser has complied with that obligation and has expended that amount up to the present time as I am informed.

CHAIRMAN: What was the income of the estate?

6000*l.* was the rental.

SIR SYDNEY WATERLOW: The Company, as you have said, has a large income arising from trust property; have they found that the obligations under some of those trusts have become obsolete, and have they applied for fresh schemes in order to render the trust funds more applicable to the wants of the present day?

Yes, they have done so in many instances, under schemeseither of the Court of Chancery, or the Charity Commission. Some of those charities were for loans and clothing, and have been diverted under the authority of the Charity Commissioners for educational purposes in connection in particular with the North London Collegiate and Camden School for girls, in one instance, and in another for scholarships in connection with elementary schools, and also in some degree for technical education. Another—Hobby's—charity was for the benefit of prisoners for debt, and that had become obsolete. That again under the authority of the Charity Commissioners has been diverted largely to educational and modernized charitable purposes. In other instances that has been done, and a great many of our charities, I think, are now either administered under a decree of the Court of Chancery, or under schemes framed at our instigation by the Charity Commissioners. I may say, the whole of our trust personal estate, consisting of divers funds and securities, is, I

Deputation from Clothworkers' Company.

think, almost without exception vested in the official trustee of charities under the direction of the Charity Commissioners.

Have the Company large funds for the relief of the poor members—freemen?

Some of the strictly charitable funds are applicable to those purposes, but they supplement them very largely out of their own corporate funds.

Do the Company find that they have a sufficient number of urgent and necessitous cases of poverty arising among their own body to absorb the funds which were left for the poor of the Company?

Yes, I consider that they do. The applications are pressing and numerous, taken in connection with the age of the people and their means. Some of the trust charity funds are specially devoted to that purpose, as I have said.

In regard to Lambe's Chapel, formerly in the City. Practically the Company removed the old chapel, and built a new church in a populous neighbourhood?

They built a new church in a populous neighbourhood where it was more wanted, and that they did out of their corporate property.

How many years ago is it since the Company first subscribed towards technical education?

It began to take up the question in 1870. In 1876 I think it took the initiative in establishing the City and Guilds' Technical Institute, to which it subscribes very largely.

Were the Clothworkers' Company the first Company to subscribe to that?

They were the first Company. It was they (as I think the Lord Chancellor, Lord Selborne, mentioned in his evidence before the Commission) who took the active lead in the matter; indeed, if I might be permitted to say so, Mr. Mundella, speaking in our Hall in the year 1881, said, when he first became interested in that question, which was sixteen years ago, the first persons that gave him any assistance at all were the Clothworkers' Company.

Without going into detail, can you tell the Commission roughly how much money you contributed last year towards technical education in London and the provinces?

We contribute between 8000*l.* and 9000*l.* a year.

Have you a large school in Kent, at Sutton Valence?

Yes, we have a large school at Sutton Valence.

How many boys do you educate?

About 100 in the school itself.

Do they get a collegiate education?

I may perhaps mention that we were constituted a distinct corporation of that school by a charter of Queen Elizabeth as a grammar school, and Latin is taught there; therefore it is a classical school.

I think that was a gift of Lambe's, was it not?

That was a gift of Lambe's.

Have the Company supplemented the funds left by Lambe out of their corporate income?

The endowment of the school is very small indeed. I think the actual endowment only amounted to about 30*l.* a year, and thinking that the education of the school might be rather above the class of small farmers and so forth of the neighbourhood, we give that 30*l.* a year to the National school there, which admits boys of all classes without any religious distinction, and 20*l.* to the British school there; and we give to the school proper upwards of 1000*l.* a year out of our own corporate income. We rebuilt the school some years ago (in 1864, I

think), at a cost of about 8000*l.* or 10,000*l.*, and a further addition in 1876 cost about the same. Deputation from Clothworkers' Company.

I think this Company have also a school at Peel, in the Isle of Man, have they not?

Yes, they have.

Is that supported largely out of the corporate income?

Very largely indeed. It was founded under the will of Philip Christian.

Can you tell the Commission how many members you have on your court?

About forty.

Do you find that number larger or smaller than you think sufficient to do the business?

I do not think it is larger than it ought to be to do the business properly. The members attend and give very great attention to the subjects brought before them. There is a great deal of work connected with the administration of the Company and its charities, and there are men of different classes and rank in the court, and of different attainments, and I think that their experience in their various branches of business and professions and private life are very valuable indeed on the questions broug ht before them. I do not think that the number of the court is anyimpediment.

Do you think that the Company would be as efficiently conducted if there were twenty members on the court instead of forty?

I cannot say that, but I do not think that the number of forty is inconveniently large, and we do get the benefit of the various experience and attainments of the different members.

Of course the forty cost double what the twenty would?

No doubt that does involve an increased cost.

Are the whole of your trust funds administered without making any charge against the trust for management?

The whole of the trust funds are administered free of any charge whatever to the charites, there is no charge at all, we do not even accept the five per cent. allowed by the Court of Chancery and the Charity Commissioners as receivers. We pay the whole expense of the management of the trusts out of our own corporate income.

Have you, in your statement to the Commission, made some suggestion in reference to an alteration of the Charitable Trusts Act?

I may say we have been anxious to avail ourselves as largely as possible of the Charity Commission. We have full confidence in them: we have always gone to them in difficulty: we have put several of our charities under their revision—many were already under the Court of Chancery; and we should be quite willing that the powers of that body should be increased somewhat in the way (if we might suggest) indicated by Mr Longley in his evidence before the Commission. For instance, both Mr. Hare and Mr. Longley mentioned the fetter or limit of 50*l.*; if the property of a charity exceeds that amount they are deprived of taking the initiative without the consent of the trustees of the charity. That is an impediment, and we should think that that limit might very well be done away with, subject to reasonable and necessary limitations and safeguards. Of course we are only a deputation from the court of the Company, and we cannot go beyond our powers, but in other respects I think I may say that we should be quite willing that the jurisdiction of the Charity Commissioners should be increased, safeguards being provided as was done, I think, by the Bill (amended in the House of Lords, to a certain extent) which was last introduced into Parliament in 1880, I think. To some extension of the powers to the Charity Commissioners

Deputation from Clothworkers' Company.

we should most willingly accede, and I think that it would be very beneficial to charities generally.

Has any large part of the Company's property been acquired, by bequest or otherwise, during the present century?

Some part has been, of course; the devises of land were made principally before the eighteenth century, but there have been some, West's and others, since.

That was a trust bequest?

Principally trust bequest.

I mean gifts or bequests for the benefit of the Corporation?

There was the one to which attention has been a good deal drawn, Mr. Thwaytes' bequests. He made two bequests, one of 20,000*l.* to found a charty for the blind (which sum is now represented by an investment standing in the name of the public trustee of charities, and is administered under the Charity Commissioners), and the other of 20,000*l.* further "to be used in a way to make the Company comfortable."

How do you pend that?

I was going to explain that. A good deal has been said about it I observe in the evidence, and it has been much commented upon. The way in which it is spent is this. The charitable bequest we have largely supplemented out of our own funds so as to admit of pensions to a larger number of the blind than the 20,000*l.* (less legacy duty) which he left for that purpose would admit of. The income of the other 20,000*l.* is applied partly in payment of one of the dinners of the Company which is held on the first Wednesday in January in every year in commemoration of Mr. Thwaytes. That does not exhaust by any means the income of the legacy, and the remainder of that income is used in supplementing the blind pensions and for our general corporate purposes. The sum is invested in a way to produce a good income, and the balance of the income, after paying for this dinner, is applied as I have said.

Do not the Company give very large sums of money in payment of exhibitions and scholarships at the colleges and many of the high-class schools?

Yes, many exhibitions both to Oxford and Cambridge and King's College, and to other colleges and schools for young men and women.

Has that been done for some years?

That has been done for some years.

Do the Company receive reports of the method in which it works?

They receive the examiners' reports from the Universities of Oxford and Cambridge. In addition to that, I may mention that we have for the poorer class of students unattached exhibitions now both at Oxford and Cambridge, all which are given irrespective of religious opinions. In addition to that, we have also admissions to the North London Collegiate and Camden School for girls, and scholarships for competition among the public elementary schools of the metropolis, so as to get hold of any children who show any considerable aptitude. Some of the girls get to the North London and Camden College, and then if they distinguish themselves there they can be possibly passed on to the colleges at Somerville Hall, Oxford, or Girton or Newnham College, Cambridge, to which we largely subscribe, and to which we are increasing our subscriptions, and from which colleges we get returns of the conduct of girls that we send there.

May I ask, are the Company quite satisfied that they are doing good and increasing good by the payments they make for the higher education of young men and young women?

They consider so, and the reports confirm that.

Have they increased from year to year their payments in that direction?

They have been doing so.

Deputation from Clothworkers' Company.

Sir N. M. De Rothschild: You say you would like to see the powers of the Charity Commissioners extended, and that you put your own charities under the Charity Commissioners; perhaps you would not mind telling the Commission what advantage you think would arise to the public from further interference by the Charity Commissioners with other Companies. Do you think that their charities would be better managed?

I may say that we have thought the Charity Commissioners' assistance useful. Probably the Charity Commissioners would require to be strengthened in some way; but we think that the charities are very well administered under their supervision, and some of us think it would be a proper thing that the charities of the country generally should be brought more under their control.

Do you think then that the Charity Commissioners are better judges of the charity objects than the courts of the Companies?

I will not say that, but they are a public body entrusted with the control of charities, and we find that they do not interfere improperly with us. We submit our accounts to them, and if any change of investment or anything of that sort is required we find that they accede to our proposals as far as possibly can be done. In some instances if they do not approve they say so, but as a general rule they fall in with what is presented to them if they think it reasonable and we think that it is desirable. Of course we have no power to alter these obsolete charities without the sanction either of the Court of Chancery or of the Charity Commissioners, and we find that it is satisfactory that such of them as are obsolete or useless should be altered by means of a well-considered scheme drawn up under the immediate supervision of the Charity Commissioners and carried out accordingly.

Sir Richard Cross: Are you speaking of trust funds only, or trust and corporate funds?

Trust funds only, certainly. I merely referred to charities. Both Mr. Hare and Mr. Longley expressed their opinion that they had nothing to do with corporate property under the Charity Commission. I was merely alluding to the strictly charitable trusts which are committed to our care.

Chairman: There are also two questions which I should just like to have an explanation upon. Are those funds which have been called trust funds derived from property, the whole income of which is expended on the trust purposes, or only a certain portion of which is expended, the increment going to you?

In most cases it is the whole income of a particular charity.

You make the payment and take the difference?

In some, but in the latter case, where there has been a charge on the property for charitable purposes with the surplus given to the Company, we have redeemed, under the sanction of the Charity Commissioners, the charge, and the sums paid by us for the redemption of that charge are now invested in consols or some other stock in the name of the official trustee of charities, and administered in that way; we have done that very largely for many years past now. Wherever we had a property charged by the will that devised it with a sum applicable to charity and subject thereto, the surplus given to ourselves, I think in almost every instance we have redeemed that charge under the sanction of the Charity Commissioners, and as approved by them.

Then the statement that you do not take the five per cent. for managing these charities applies to all?

Yes, to all. We do not take it at all.

Deputation from Clothworkers' Company.

As to this 20,000*l.*, you say the income goes to a dinner in commemoration of Mr. Thwaytes, and then for general corporate purposes, including other dinners, I suppose?

It goes into the exchequer of the Company generally, and is applied as I have before stated.

It goes into the 14,000*l.*?

It would go into the 14,000*l.* or, rather, it goes into the 34,000*l.*, and so much of it as is applied in augmenting the pensions of the blind falls into the 20,000*l.*, and the rest of it falls into the 14,000*l.*

Mr. James to Mr. Owen Roberts (Clerk of the Clothworkers' Company): I believe you were mainly instrumental in establishing the City and Guilds' Technical Institute?

I was concerned in establishing the Technical Institute as Clerk of the Clothworkers' Company. The movement of technical education originally arose from the invitation of the Society of Arts instituting examinations in connection with the annual series of exhibitions at South Kensington, and when the turn of cloth manufacture came, the Clothworkers' Company first gave a prize of 100 guineas for the encouragement of the examinations in connection with the cloth trade, and afterwards put themselves into communication with Colonel Donnelly and others on the subject of technological examinations and technical education generally, more especially in connection with the cloth industry. They afterwards obtained a conference at Clothworkers' Hall consisting of the mayors of various corporate towns and Presidents of Chambers of Commerce of the towns in the West of England, Yorkshire, Glasgow, and other places where the textile industries are the staple industries of the district, and took their advice as to the best way of promoting a system of technical education in connection with the industries of the various localities. That matter has grown gradually, and now the Company have schools or classes, independently of the City and Guilds of London Institute, in almost all the centres of the clothworking industry in Yorkshire and the West of England; they have also subsidized a technical weaving school in Glasgow.

But the one central institute up to the present time has been in Finsbury, has it not?

I am speaking of the Clothworkers' Company's action in technical education. Then in 1876 the Clothworkers' Company took counsel with the Drapers' Company, who also had shown an interest in the question, and availing ourselves of the fact that at that time Lord Selborne was Master of the Mercers' Company, a scheme was submitted to him, and he expressed his cordial approval of it, and through his intervention a combined movement of the guilds was then brought about for the establishment of technical education in a general sense, distinct from the clothworking industry, but including it.

That is the movement which eventually proposes to establish the large central college at South Kensington, is it not?

That was one of the objects, but the great object of the central institution is not to teach the application of science and art to the ordinary workmen, the rank and file, and there always must be rank and file, but to teach the men who are picked out from among them as the leaders in intelligence, and whom we hope to make into efficient foremen or managers, and above all into efficient teachers, for trade schools throughout the kingdom. These men will come from every part of the kingdom, and will not be drawn from the industrial classes of London alone, or even to any great extent, and even the London men will in all probability be for the most part picked men supported by exhibitions, and not, while students of the Central Insti-

Deputation from Clothworkers' Company.

tution, engaged in journey work. We found when we established our dyeing school at Leeds that we could not in this country find a teacher; there was no technically qualified teacher of dyeing. We found the same difficulty wherever we founded schools. By the advice of Professor Huxley, and with the concurrence of scientific opinion, it was thought absolutely necessary before any movement of technical education could obtain a hold in the country that there should be a normal training school to supply technical teachers in the same way as the normal training schools at Battersea and elsewhere supply the elementary teachers, and now the universities are recognizing that teaching involves not only the possession of knowledge, but is a profession, and like any other profession requires special preparation.

What post does Mr. Magnus hold?

Mr. Magnus is the director and secretary of the Guilds' Institute.

That is the Institute in Finsbury?

He is director and secretary of the Institute as a whole. He holds also in connection with it, temporarily, the function of director of studies in the Finsbury College. Probably he will also, when the institution at South Kensington comes into operation, assume some such position there; but that is not settled.

And Mr. Magnus is also a member, I think, of the Commission upon Technical Education at the present time?

Yes, it was thought exceedingly desirable that he should obtain that experience (which, conjoined with his opportunities as director of the Guilds' Institute, I suppose would make his qualifications in regard to technical education almost unique in this country) by going about with that Commission to various countries abroad. His experience will be most valuable, and it has been found so already.

Can you tell me what contribution the Clothworkers' Company make to this movement?

We give 3000*l.* a year; but we have also paid 10,000*l.* for the Building Fund of the Central Institute, and of the Finsbury College; and we hope to establish, as time goes on, trade schools in various parts of London; also to supplement local effort wherever we find there is a tendency towards technical education.

The effort to raise the money among the other Companies for this Institute was originated in the first instance by the exertions of the Clothworkers' Company, or to a great extent, was it not?

No doubt the Clothworkers' Company took a foremost part, but the Drapers', the Fishmongers', the Goldsmiths', and the Mercers' Companies also took part in it. I should not wish to claim more than our proper due in the matter. We found all our fellow-guildsfolk equally anxious to enter into the movement as soon as they found that technical education was a matter that could be worked out adequately in practice. As soon as they found a proper scheme could be formulated, other Companies showed themselves as anxious as we were to carry the matter out.

APOTHECARIES' SOCIETY.

Deputation from Apothecaries' Society.

THE following gentlemen attended as a deputation from the Apothecaries' Society:—

Mr. J. Saner, Master, and
Mr. J. R. Upton, Clerk.

Deputation from Apothecaries' Society.

CHAIRMAN to Mr. Saner: You represent the Society of Apothecaries, I understand?

Yes.

You have sent us a statement upon which you are prepared to answer any questions, I suppose?

Certainly.

That is the object of your coming here to-day, I presume?

Certainly.

No one, I see, can be a member of your Society who is not an apothecary?

No.

And under the powers of your first Act of Parliament you have become one of the licensing bodies examining persons qualified to become apothecaries?

Yes.

That is under the Act of 1815?

Yes.

Was that your first Act?

That was our first Act.

Then you have occupied yourselves a good deal in securing to the public the use of unadulterated drugs, I understand?

Very largely.

You say that you have done that by means of a body created out of yourselves, and allowed to use your name, but placed under your control; what body is that?

The body is defunct now. A certain number of our members were allowed to subscribe and form themselves into a body to carry on the trade. It was what they called the United stock, and they carried on the trade until within about three years ago, when, in consequence of a change of business, the trade failed in a measure, and it was all wound up; now the Society carry it on on their own account at the present time.

Then what is your connection with Apothecaries' Hall?

That is the place where we transact all our business affairs entirely. The trade and the Court of Assistants all meet there.

I see also you state that you were the first of the medical bodies to institute an examination in classics, mathematics, and science to test the liberal education of candidates seeking to become medical men?

Yes, we first instituted that examination ourselves, but now it is very largely followed by all the medical bodies.

You obtained an amendment of your Act of 1815 some years ago?

Yes, in 1874, in order that we could elect a better class of examiners by opening it to all physicians and surgeons as well as to our own body.

And you have founded scholarships in medicine and surgery?

Yes.

And also appointed a lecturer on botany?

Yes.

Then, putting it generally, your contention is that your Society have active duties to perform, and are actually performing them to the general satisfaction of the public?

Quite so. I do not know anything that is left undone under our charter or those two Acts of Parliament. I believe every point is rigidly carried out to the letter, and, more than that, we have endeavoured to improve in every way to suit the requirements of the times in which we live.

Deputation from Apothecaries' Society.

Are you still the possessors of the Botanic Garden at Chelsea?

Yes, we cannot part with it. We have 5*l.* a year to pay to Lord Cadogan to keep hold of it, that is all.

You are bound to maintain it for its present purpose?

Yes.

Mr. Firth: The Company is now trading in drugs, I understand?

Yes.

Then you are a trading Company?

Yes, we are a trading Company.

I understood you to say that no one could become a member of your Company unless he was an apothecary, was that so?

That is so.

Then have not you admission by patrimony?

Yes, but the person admitted by patrimony is an apothecary also.

Mr. Upton: There are two instances to the contrary. Persons could be admitted, but as a rule the Company have admitted nobody but apothecaries with two exceptions.

To Mr. Saner: You laid down the law or rule, as I understand it, stringently that they must be apothecaries?

Yes, we do so.

According to your charter?

Yes, that is so. We have only two exceptions where they are not apothecaries.

Is your charter different in that respect from that of any other Company, so far as you know?

So far as I know, it is.

And I notice that you expend on the Chelsea garden 525*l.* out of an income of 2414*l.* Is anything else spent in the direction of the trade in any way?

We have a curator who receives 100*l.* a year.

That is included in the 2414*l.*?

Yes. I was explaining how we spent so much. It is keeping the gardens up altogether. The curator has 100*l.* a year, and so on.

But the rest is spent in keeping the Company up, I think, so far as I see. Do you consider your right of search still existing?

Well, I suppose it still exists, but we do not use it, because the apothecaries' shops have so altered.

But you did use it down to the present generation?

Yes.

Mr. Alderman Cotton: You were originally united with the Barbers' Company, were you not?

The Grocers'.

And they took over the bulk of the properties, I think; when you separated from them, you almost had to begin again?

Mr. Upton: Yes, they were the original Company, and we were dissociated from them.

You are a great public benefit, I believe?

Mr. Saner: We consider that we have done a great deal of good since 1815.

Chairman: In any case there is no mistake about the fact that you do perform certain functions intrusted to you by Act of Parliament?

Certainly we do a great many.

Mr. Pell: I see you continue the system of apprenticeship?

Yes, but, unfortunately, we have very few apprentices come up now; the times are so altered now that very few apprentices come to us.

Deputation from Apothecaries' Society.

How many have you apprenticed within the last three years?

Well, I suppose not more than eight or ten.

Who are those lads apprenticed to?

To general practitioners always.

Are they supposed to require any knowledge beyond that of mixing drugs and compounding drugs?

Yes, now they do particularly. Formerly their particular occupation was mixing drugs, because the general practitioners compounded and sent out their own medicines instead of giving prescriptions, but now they do not do that so much.

This is one form of medical education?

Yes.

Is there any advantage in that over the education which a medical man might derive without apprenticeship?

No, I think not. Of course he is only apprenticed really for the purpose of becoming a member of the Company; he is not apprenticed for the purpose of becoming a medical man.

But supposing he was apprenticed to a medical man and he afterwards abandoned that particular line of life, would he then become a member of your Company, or could he be admitted?

The question would arise whether he could claim by patrimony?

He would have to fall back upon patrimony?

Yes. We took advice some little time ago as to whether anybody could claim admission who was not actually an apothecary.

Mr. Alderman Cotton: I believe you are celebrated for the sale of genuine drugs?

That has been our pride all along.

And you supply a very large number now?

Yes, to hospitals and dispensaries.

You are really most useful in your generation?

That is so; we have prided ourselves upon that all along.

NEEDLEMAKERS' COMPANY.

Deputation from Needlemakers' Company.

The following gentlemen attended as a deputation from the Needlemakers' Company:—

Dr. Ramsay, and
Major Charles Harding.

Chairman to Dr. Ramsay: You attend here as representing the Needlemakers' Company, I understand?

We do.

I have been told that your object in coming to give evidence here is to contradict certain statements which have been made in the evidence which has been put before us?

Just so.

Will you tell me what are the statements to which you refer?

Major Harding: Those in regard to the Company having been resuscitated for the purpose of advocating particular political views.

Chairman: It is the fact, is it not, that it was in a very moribund

condition, and that it has lately been revived by a considerable addition of members?

Deputation from Needle-makers' Company.

I may explain that the circumstances were these. Some of us had it in contemplation to join a City Company when the opportunity offered, and we heard of this Company, which we joined simply with a view to being members of a City Company. Opportunities presented themselves for inducing a number of our friends to join, but without any notion of political views whatever.

You simply wished to belong to a City Company, and you selected this one as one that might be revived?

Yes, at a moderate cost.

Is there anything else that you wish to put before us?

Dr. Ramsay: I think I may as well inform your Lordship, and the other members of the Commission, that we had no object in view in reference to obtaining political votes by reason of resuscitating this Company.

As a matter of fact, the Company was on the point of dissolution, was it not, when this effort was made to revive it?

It was on the point of dissolution.

It was a question whether the property should be divided?

Decidedly.

Mr. Pell: I see in the return under the head of technical education that your Company promised 250*l.* in five instalments to the City and Guilds of London Technical Institute; have they not been asked to pay that?

We have paid the instalments every year.

You promised a subscription?

As soon as ever we were formed we set about to see whether we could advance the interests of technical education in any way from the very first time of our reconstructing the Company; and we found that at Redditch in Worcestershire the needle-making had concentrated itself there, and we set about to see if we could advance it, and offered prizes and various inducements. At first we thought it would be a good thing; however, the jealousies among the masters of the trade were such that we were advised not to try it again, otherwise we contemplated giving prizes for a series of years.

Major Harding: Anyhow the whole sum has been contributed up to the present time. The Company had no funds, and we subscribed funds to put the Company into a state of prosperity.

Mr. Firth: There were no funds you say at the time it was resuscitated?

Dr. Ramsay: Scarcely any.

Therefore there would not have been any funds to divide in case it had come to an end?

Yes, there would have been. There were some funds to divide, but not of any great amount.

How many members were there at this time?

A good many members.

At the time that it was resuscitated?

Major Harding: I should think about twenty or thirty.

Can you tell me without difficulty what your object was in resuscitating this Company?

I had no object myself, being one of the first to enter that Company, to resuscitate it at all. I was only too desirous, for my own part, to join a City Company, and I happened to mention incidentally my desire to an amiable friend who would have been with me to-day but for some misfortune in not sending him due notice. In fact, I spoke to him about

Deputation from Needlemakers' Company.

it, and he thought that he would like also to be associated with a Company, and I was recommended to join the Tin Plate Workers' Company, but subsequently I was told of the Needlemakers' Company. The mere ambition to be a member of a City Company because one's interest lay generally in the City was the motive which animated me, and we found among many of our friends a desire to join us in membership.

But what advantage did you propose to yourselves?

I do not see what advantage we have got out of it, or are likely to get out of it, excepting the ordinary pleasurable idea of being associated with a City Company.

Did you make application to the Court of Aldermen to have the livery increased?

Yes.

In what form was that power given? Did the Court issue an order increasing your livery?

Yes.

Did you appear before them?

Certainly.

By petition?

DR. RAMSAY: In the usual manner.

The Court of Aldermen have a control over these Companies, then, according to your experience?

Yes.

Were you aware that this Company, when you joined it in this way, was governed by charters controlling the trade, and was subject to the government of the City by charters?

MAJOR HARDING: Yes.

Were you aware that it was bound to instruct and examine people in this trade?

DR. RAMSAY: Quite so.

Did you not consider that you had any liability in that direction at the time that you joined?

We were quite aware of that.

MAJOR HARDING: We had, but the question was as to exercising it. Of course, the question of exercising rights is a thing to be advised upon.

Did you know that apprentices to this Company had to be tested?

Certainly, we knew the terms of the charter.

As a matter of fact, as an incident to your membership, you have a vote for the City, have you not?

That is an incident, but it need not be an incident, because votes are regulated, in the case of most of us, by actual rates and rents, and so on.

Is there any other advantage, but that incident to membership, in the Needlemakers' Company?

I should think not, not to any of the members that constitute that Company, certainly not to the new ones, and I do not think there can be any to the old ones.

MR. ALDERMAN COTTON: You answered the learned Commissioner just now to the effect that the Court of Aldermen had a control over the City Companies. Beyond allowing you to increase the members of your livery they have no other control over you, have they?

DR. RAMSAY: Certainly not.

Then you answered the question correctly when you answered it in that way?

MAJOR HARDING: I thought so.

The Commission will understand thoroughly that they have no control over you except the right to increase your members?

Deputation from Needlemakers' Company.

Dr. Ramsay: None whatever. We were informed that it was necessary, if we wished to increase the number of our members, that we should make an application to the Court of Aldermen. We did so on the usual form, and they gave us that increase. I believe some observation was made that we were manufacturing faggot votes. We repudiated that at once, because we had no intention of manufacturing any votes at all, but of advancing the interests of our Company, which we resuscitated.

In your efforts to promote technical education in the interests of your own trade you signally failed?

We failed, inasmuch as we found the jealousies amongst the manufacturing needlemakers of Redditch in Worcestershire were such that we were advised to postpone any further offer of prizes for a year or two until we saw how it got on.

STATIONERS' COMPANY.

The following gentlemen attended as a deputation from the Stationers' Company:—

Deputation from Stationers' Company.

Mr. J. J. Miles, Master.
Mr. John Miles } Wardens.
Mr. C. Layton }
Mr. C. R. Rivington, Clerk.

Chairman to Mr. J. J. Miles: I believe you come here as representing the Stationers' Company?

Yes.

I believe there are some facts which you wish to lay before the Commission?

Yes. If you would allow me, I think it would save the time of the Commission if I ask our clerk to reply to the questions. He has all the information so much better at his fingers' ends.

To Mr. Rivington: I understand that you are prepared to show that there are some peculiarities in the constitution of your Company?

I am.

You have duties imposed upon you by Act of Parliament, is not that so?

Under the Copyright Act.

Will you state what those duties are?

I may mention that that is not the special peculiarity of our Company. I must go back, if you will allow me, to a date before the incorporation, but I will not keep your Lordship many minutes. The Stationers' Company was incorporated in 1556, but it had existed for upwards of a century or a century and a half before as a society or brotherhood, consisting exclusively of persons employed in the production of other than official books. The members were printers, and they had a common stock. Each member put a certain sum of money into a common stock; the work was divided amongst the members, and the productions sold at a profit, and a certain portion of the profit was distributed amongst the members of the Company. In 1556 the Company was incorporated and clothed with certain powers as to the controlling of printing and books issued. Then, of course, the Company became a corporation, but the old body existed, and trading has existed and been carried on separate

Deputation from Stationers' Company.

from the Company as a corporation from that time until the present day, and it is continued, so that in the Stationers' Company there are really two bodies; there is the corporation of the Stationers' Company and the partners in the stock, which is called an English stock. Formerly there were several stocks; there was a Latin stock, an Irish stock, a Ballad stock, and a Bible stock. The stock existing now is an English stock. About 1601 the Company obtained a grant from the king giving them the exclusive right of printing certain publications, and that was amalgamated with the English stock. This stock has a capital of between 41,000*l.* to 42,000*l.*, which is held amongst 306 members of the Company. The capital is divided into certain shares, which are held just in the same way as the shares of ordinary companies, and the profits of the stock and property belonging to the stock are appropriated thus: A certain amount is distributed amongst the poor of the Company (it used to be 100*l.* a year, but now it is 400*l.* a year), and after paying that the nett profit is divided by way of dividend, which is paid each half year. The members of the Company under the byelaws have a power of disposing of the shares to their widows, but to no other persons. Upon the death of a person who has not disposed of his share to his widow the amount is paid out, and an election takes place among the members of the Company to that vacant share. If the share is bequeathed to the widow, the widow can take the share and enjoy the profits during her life, and upon her death that share is then disposed of in the same way as I mentioned before.

Sir Sydney Waterlow: Then, as a matter of fact, each member subscribes capital towards what is called the English stock just as in the case of a joint stock company?

Not each member of the Company, but each partner. The members in the trading stock are only a certain number of the liverymen.

And the capital thus raised by that select number of the liverymen is a trading capital used in printing and publishing books at the present time?

It is.

And that monopoly enjoyed by the Company from the charter granted by the king was a monopoly for printing Bibles and almanacks?

Almanacks and primers.

Of course that monopoly has ceased many years?

That monopoly has ceased many years.

The Company still continue operations?

They still continue operations and publish school books.

Can you tell the Commissioners what is, in round numbers, the amount of corporate money beyond that belonging to the English stock?

The money belonging to the corporation is all set out in the detailed returns which I had the honour to submit to the Commissioners. The property belonging to the English stock consists of this trading capital and investment of certain profits which were accumulated and not wholly distributed amongst the partners. At the time that the stamp duty was repealed, a large sum of money was received by the Company, and that was invested, and the produce of that was divided amongst the partners as part of the profit.

Is the membership of the Company still limited to persons connected with the trade?

Exclusively to persons connected with the trade, and to persons born free. So particular are the Company as to that, that if any application is made from any person who is not a member of the trade, it is not even submitted to the Court.

Is the Company practically carrying on at the present time all the duties imposed upon it by the original charter?

Yes. Of course the duties relating to the controlling of printing are obsolete at the present day, but the Company bind a very large number of apprentices, as many as between 100 and 200 a year; and those bindings are all *bonâ fide* bindings, the apprentices actually serve their time to printers or booksellers. The Company have the administration of the charities, which are exclusively confined to members of their trade. They have nothing to do with persons outside their trade with regard to their charities. They have various duties under the Copyright Acts. Indeed, there is now a Bill pending before the House of Commons to increase those duties very considerably by requiring registration of all engravings at Stationers' Hall. Stationers' Company.

Do the Company derive any profit as a Company from the fees taken under the Copyright Act.

None at all. Far from deriving any profit, they are at a considerable expense; it is no pecuniary advantage to the Company.

Mr. Firth: On the first page of your return, speaking of your charter, which you say is destroyed, you say that it purported to establish a corporation to control the printing and publication of books. I think this Company was established by Queen Mary, apprehending, as she says, much ill to the State and Holy Mother Church, and giving you absolute control and sole power to print and publish books; is not that so?

It was incorporated.

Giving you the monopoly?

At that time, certainly.

And under that monopoly you destroyed many thousands of books?

A very large number.

As to almanacks of which you spoke, your almanack monopoly began, I think, in the reign of James I.?

Yes, that is so.

And that lasted for 150 years, I think?

Until the middle of the last century.

How many almanacks do you publish now?

About twenty.

Old Moore's Almanack you publish, amongst the rest, I think?

Yes.

And do you still continue your prophecies in Old Moore?

No.

With respect to Stationers' Hall, do you consider that Stationers' Hall carries out the object set out in the statute of George III., that it tends to the greater encouragement of the production of literary works of lasting benefit to the world?

That is a matter of opinion.

I ask you your own opinion?

It is a subject I have not considered.

You have not considered whether your own Stationers' Hall has that effect?

The Company perform all the duties cast upon it, I believe.

Is there an index or register kept at Stationers' Hall?

There are four different registers kept there.

CHAPTER XI.

Memoranda of facts replying to misrepresentations of witnesses :—Supplementary statement on behalf of the Fishmongers' Company—Memorial of the Goldsmiths' Company—Observations of Sir Frederick J. Bramwell and Mr. Prideaux on behalf of the Goldsmiths' Company—Memorial of the Skinners' Company—A short historical account of the connection of the Livery Companies of London with the county of Londonderry—Memorandum of the Merchant Taylor's Company—Supplementary statements of the Salters' Company and of the Ironmongers' Company—Observations of the Clothworkers' Company on the evidence of witnesses—Memoranda from the Barbers' Company, the Coachmakers' Company and the Horners' Company—Concluding observations.

Supplementary statement on behalf of the Fishmongers' Company, presented to the Royal Commission appointed to inquire into the City of London Livery Companies.

Supplementary statement on behalf of Fishmongers' Company.

In replying to the invitation of her Majesty's Commissioners to offer any remarks or further explanations which may appear to arise on the evidence that has been given before the Commission, the Fishmongers' Company and its governing body desire to avoid anything that might appear to be recriminatory or to bear the aspect of harsh or personal comment; especially as it is sufficiently obvious, without detailed criticism, that some of the witnesses have been misled by prejudice in many of the statements made, and have not been guided solely by a regard to public considerations.

It is alleged that the Companies, in their returns, have not disclosed the full value of their respective properties. To this the Company reply that, while they have rendered a full return of their income, they consider that any endeavour to fix a hypothetical value on their property, apart from a statement of the income derived from it, and of the outgoings and mode of expenditure of the net proceeds, would have involved special, needless, and very costly valuations, and would not have aided the inquiries of the Commissioners. The *rated* value of the properties for occupation obviously bears no relation to the Company's interests therein, which in many cases are those of ground landlords only. They have desired to give every information in reference to the whole of their property, as on every other subject of the Commissioners' inquiries.

On the general question of the Company's right to the absolute and plenary possession and uncontrolled disposal of its corporate property, it is sufficient simply to recall attention to the second paragraph of their return already made, in which it is stated, with perfect accuracy, that no part of it has been derived directly or indirectly from any public source, but the whole from its own members or from other private sources. What has been purchased has been paid for out of the Company's own moneys. Where it has been acquired subject to any condition, the condition has been fully and loyally performed.

On this subject a passing reference may be made to the clear opinion expressed by the Lord Chancellor, when he appeared before the Commissioners as representing the City and Guilds Technical Institute; also to the series of decisions in the Court of Chancery in the cases relating to the Company mentioned in page 3 of the Company's Return; to the

decisions in Attorney-General *v.* Wax Chandlers' Company (House of Lords, 1873, L. R. 6, App. 1), and Brown *v.* Dale (9 Ch. D. 78), and to the numerous cases in which, even where trusts, and not merely conditions, were attached to the ownership, any surplus of property or income has been held (where such trusts were limited), to belong to the Company absolutely. Fishmongers' Company.

As respects many of the trusts confided to the Fishmongers' Company, the objects of which are of a beneficial character, the Company have made large additions to the trust property from their own funds.

In the case of Sir John Gresham's Grammar School at Holt, in Norfolk, the Company have from time to time supplemented the trust funds, especially for the purposes of rebuilding and repairs, the amount in which the trust was indebted to the Company, at a not very distant date, having been over 10,000*l.*, and this notwithstanding the constant warnings of the Charity Commissioners that the Company were doing this at their own risk, and that they could in no case be permitted to apply any part of the capital of the trust funds in repayment of their advances; nor any part of the trust income, except within a period of thirty years.

In the case of Quested's Trust and the other trusts for the almshouses at Harrietsham, the income of which is only 108*l.* 10*s.* 4*d.*, the Company, from their own funds, supplement the income of the charity to the extent of 300*l.* a year.

In the case of St. Peter's Hospital, Wandsworth, the Company, in the year 1849, from their own funds, rebuilt the almshouses at a cost of 26,840*l.*; and they spend annually in the support of this benefaction for their own poor members 3800*l.* a year, although the yearly income of the trust property is only 377*l.* 7*s.* 8*d.*

As an instance of the Company's desire to contribute largely for useful public objects, it may be mentioned that in 1875 and the two following years, they laid out above 15,000*l.* in erecting industrial dwellings for artisans on a portion of their property in Walworth.

The Company having been in its origin a trade guild, one of the main objects of which was the government and protection of the members of the mystery or industry, the hereditary right to membership (which could not be and cannot be abrogated short of direct spoliation of private interests), and the gradual, if slow, growth of the property of the Company, have by degrees, and in the course of many centuries, given increased prominence to its character as a benefit society. Its income has, from time immemorial, been applied for the following objects:—In furtherance of objects of interest to the trade, in the comparatively few instances in which this has been practicable; in supervision of the markets and other places where fish is sold, and the seizure, condemnation, and destruction of bad and unwholesome fish; in the support or temporary aid of its poorer members; in pensions for the support and education of the children of its members, if destitute or insufficiently provided for; in aid of the sick, helpless, and aged; in support of the Company's almshouses at Wandsworth, Bray, and Harrietsham (not in doles of bread or money); in educational work and exhibitions; for objects of public charity and utility; and in hospitality and entertainments; and more recently in the prosecution of offenders against the various Acts of Parliament relating to the taking and sale of fish, passed during the last few years; and in promoting technical education.

No further explanation is probably needed unless in reference to the expenditure on hospitality and entertainments, and this, it is believed, can be fully justified, although it has been the subject of some hostile criticism. It is in accordance with the usage and practice of the City

Fishmongers' Company.

Companies generally, as well as of the Corporation of London, and, being sanctioned by the immemorial usage and traditions of the Company, is, by strict presumption of law, in accordance with its charters and a proper exercise of the powers of the governing body. It is further matter of fair comment that all the members of the Company are interested in the benefits derivable from the corporate property; that every freeman of good character is eligible to the livery on payment of the required fee; and that, dividing the members roughly into two classes, namely, those who need and those who do not need and would not accept any pecuniary aid from the Company's funds—the former (the needy) are by far the smaller body. Almost the only mode in which the latter can derive any benefit or gratification from their membership (apart from the possession of the municipal and parliamentary franchises) is by partaking of the Company's hospitalities. The funds thus employed for the benefit of the *larger* are *less* than one-third of those applied in assisting the *smaller* body. It may fairly be noticed, in addition, that in a country where public hospitality to persons of distinction, native or foreign, hardly exists, except in the cases of the London Corporation and the City Guilds, this is not without public benefit, while strictly in accordance with ancient usage and tradition, and at the same time affording frequent opportunities to statesmen and politicians of eminence for an informal exposition of their political views and intentions, often of great public interest and importance.

It has been alleged that the expenses of management are very large; but they are not excessive. The income of the Company is considerable, derived from many sources, and its application distributed over a multitude of objects, requiring great and minute care, and a large amount of labour on the part of a skilled and capable staff. Every account and payment is submitted to a strict audit. The attendance fees of members of the court (the whole pecuniary benefit which they derive from the Company) are less than the attendance fees of the directors of many, if not of most, public companies of anything like equal importance, and only represent time and work honestly bestowed. The average amount of the fees paid to the members of the court during the ten years, 1870 to 1879, has already been stated in the Company's Return (p. 41). From this it appears that the average annual amount of each member's fees, including the wardens, during that period, was 56*l.* 14*s.* 10*d.*

A question has been raised as to the principle of selection adopted for members of the court, and it has been stated that this is "quite a "mystery." It is susceptible of very easy explanation. The members of the court must be persons possessing qualifications as men of business; and when they become wardens, and especially when they succeed, in rotation, to the office of prime warden of the Company, should be qualified, socially, to conduct the public business of the Company, and to receive and entertain guests of distinction. These considerations render some selection, apart from mere seniority, essential, or at any rate highly desirable. Great weight is attached to the claims of old family association with the Company. In the instance of the elections on the court of which complaint has been made (answer to Question 1218), the gentlemen selected were born free of the Company, and their families have been long associated with it, several of them having been members of the court, three, at least, prime wardens, and some of them men of high public and social position.

The statement that any compulsion has ever in modern times been exercised on any person to become a member of the Company is destitute of any foundation; so is the statement that any one has ever been

threatened, on the part of the Company or its governing body, with being turned out of the guild. Fishmongers' Company.

No clause against persons sleeping on the premises has ever been inserted in any lease granted by the Company.

The Company's Irish Estate.

The title of the Company to their Irish estate is derived under a deed of grant of the 24th of October, 1618, referred to in page 4 of the Company's former return.

By that deed the Irish Society, "for and in consideration of a certain "competent some of monie to them in hand paid," granted to the wardens and commonalty of the Mistery of Fishmongers the manor of Walworth, with its appurtenances (being the Company's Irish estate), "to hold "to the said wardens and commonalty, their successors and assigns, for "ever, to the only use and behoof of the said wardens and commonalty, "their successors and assigns, for ever," with a covenant by the society for the wardens and commonalty peaceably and quietly to possess and enjoy the same "to their own use and uses for ever."

Prior to the date of this deed of grant, namely, on the 29th of March, 1613, King James I. had granted the Irish plantation, of which the manor referred to formed a part, to the Irish Society thereby incorporated subject to the performance by the Irish Society of certain conditions necessary for the protection and advancement of the plantation. The objects and intentions of the grant were expressed in certain articles published by the Privy Council (already referred to before the Commissioners), which, among other things, provided against any part of the lands being "demised at will only, but for years, for life, in tail, or in fee "simple," against the grantees selling or demising their lands "to the "mere Irish," or at all during five years from the date of the intended grant, but declared that, after such five years, they should be entitled to alien the same to all persons "except the mere Irish"—obviously now an obsolete condition, although the only one that can now by any possibility be deemed to subsist. All the other conditions determined at the expiration of five years from the date of the Irish Society's charter, and therefore prior to the date of the conveyance to the Fishmongers' Company.

It is, therefore, indisputable that no trust nor even condition attaches to the Irish estate of the Fishmongers' Company, as held by them since the 24th October, 1618, unless it were the obsolete condition before referred to.

The Company, for many years after the purchase of the Irish estate, from time to time let the whole on lease to successive single tenants. The last of these leases is the only one to which it is now necessary to refer. It was granted in 1747 for sixty-one years and three lives; the survivor of these lives was his Majesty King George III., on whose death, in 1820, the Company entered into the direct management of their estate.

The Company sent over to Ireland in that year a deputation of members of the Court, who spent many weeks in investigating the condition of the estate and the circumstances of the tenants.

The deputation obtained the advice of the most competent authorities in the neighbourhood, and made a full report, now in possession of the Company.

The estate was re-let on leases for twenty-one years in accordance with the valuations which the deputation had obtained, and on the recommendations contained in their report, at a total rental of 7418*l.* 4*s.*

Fishmongers' Company.

It is impossible to compare the new rents thus fixed with those which the tenants had been previously paying, as it appears from the report referred to that the Earl of Tyrone (the Company's lessee) had granted leases to his Protestant tenants for the same term of years and the same lives as he held the estate, but at large premiums.

The result of an examination of the documents in the possession of the Company shows that the statement that the rents were quadrupled is grossly exaggerated, and that the statement that they were arbitrarily fixed without a valuation is misleading.

So far from the rents having been arbitrarily fixed without valuation, a temporary letting for a year took place in order that the rental might be fairly adjusted, and in 1822 leases for twenty-one years were granted and accepted by the tenants at substantially the same rents; these leases continued until 1843.

In April, 1843, prior to the expiration of these leases, the Company engaged the services of Messrs. Nolan and Co., surveyors of known eminence in Londonderry, to re-value the estate.

In 1844, they reported on the letting value of each holding, and the total of their valuations was 7637*l.* 14*s.* 11*d.*, but, owing to the depressed state of agriculture at the time, and the famine and distress in Ireland, which rendered necessary the grant of assistance to the tenants in remission of rents and otherwise, no systematic re-letting of the estate took place, but the tenants continued to hold their farms on the basis of the expired leases until 1852, when a deputation was appointed to proceed to Ireland to make arrangements for the re-letting of the estate.

In pursuance of their report new leases for twenty-one years were granted from 1851. At this re-letting, in view of the circumstances above referred to, a considerable reduction was made from Messrs. Nolan's valuation, and, notwithstanding that a large amount had been laid out by the Company on the estate, the net rental reserved by the new leases, after deducting the value of lands in hand and half the poor-rate paid by the Company, was about 7000*l.* per annum only.

The last-mentioned leases expired in November, 1872, when Messrs. Nolan again valued the estate, with a view to new leases being granted.

The gross amount of such valuation was 9507*l.* 5*s.* 9*d.*, but this amount included 5*s.* per acre allowed by the Company to the tenants for all lands which they had brought into cultivation during the previous leases, and also an amount in respect of lands held in hand, woods, mountains, town-parks, &c., not leased to tenants. It was also subject to deduction in respect to half the county cess, formerly paid by the tenants, but then first assumed by the Company, as well as half the poor-rate. After making these allowances, which amount to about 2040*l.*, the actual increase in the present rental under the new leases is estimated to be less than 500*l.* a year, and this increase is in a great measure due to the large expenditure made by the Company on the estate since the previous leases were granted, the interest on which is included in the rental.

On a careful comparison of the present net rental of the estate with the net rental fixed at the time when the estate fell into the Company's hands in 1820, it appears that there is but little actual difference between the amounts.

As further evidence that the estate has been leased on moderate rents, the Company append a statement showing the premiums for which leasehold interests of their tenants have from time to time been sold since 1857:—

Fishmongers' Company.

Year.	Tenant.	Acreage.	Rent, including County Cess and Poor-Rate.	Premium paid by Assignee.	Time the Lease had to run.	Number of Years' Purchase.
		A. R. P.	£ s. d.	£ s. d.		
1857	Cresswell	11 0 2	6 0 0	145 0 0	15	24⅙
1859	Cherry	133 1 26	89 0 0	1190 0 0	13	13⅓
	Patchell	68 3 32	13 10 0	550 0 0	13	40¾
1860	Hill	22 3 14	83 16 0	400 0 0	12	4⅘
	Collins	52 2 13	25 6 0	285 0 0	12	11¼
1862	Eakin	30 3 29	17 1 0	300 0 0	10	17¾
	McLarry	12 3 9	5 0 0	125 0 0	10	25
1863	Parkhill	26 2 34	6 10 0	160 0 0	9	24½
1864	Breeson	41 0 13	11 0 0	290 0 0	8	26⅓
	Irwin	20 1 7	11 2 0	200 0 0	8	18
1865	Rosborough	55 1 21	14 0 0	200 0 0	7	14⅓
	Leslie	91 1 35	26 0 0	600 0 0	7	23
	McCormick	30 1 4	13 15 0	280 0 0	7	20⅓
	Loughery	113 2 29	34 0 0	600 0 0	7	17⅔
1866	McLaughlin	24 0 5	7 10 0	105 0 0	6	14
	Wilson	40 1 26	26 0 0	710 0 0	6	27⅓
	Eakin	22 3 30	9 5 0	270 0 0	6	29⅕
1867	McGrath	33 2 7	36 0 0	500 0 0	5	14
	Blair	25 0 6	14 10 0	400 0 0	5	27½
1868	Semple	597 3 31	30 0 0	280 0 0	4	9⅓
	Mullan	41 0 12	13 0 0	450 0 0	4	34⅔
1869	Thom	65 3 17	12 10 0	575 0 0	3	46
1870	Eakin	79 3 21	28 0 0	650 0 0	2	23¼
	Cochrane	35 2 7	27 0 0	650 0 0	2	24
	Shannon	39 2 16	37 10 0	730 0 0	2	19½
1872	Brizzle	47 2 27	14 3 0	467 0 0	exp.	33
	Christy	40 1 10	12 5 0	150 0 0	do.	12¼
1873	Patchell	24 1 24	22 0 0	650 0 0	20	29½
	Patchell	66 1 35	26 5 0	830 0 0	20	32½
	McClosky	57 1 21	17 0 0	327 0 0	20	19¼
	Craig	8 2 29	20 0 0	280 0 0	20	14
1874	Reid	8 0 3	9 10 0	310 0 0	19¾	22½
	McClosky	21 2 26	11 15 0	310 0 0	19¾	27
	Millar	45 0 29	16 10 0	410 0 0	19½	25
	Loughery	20 3 13	15 10 0	370 0 0	19	24
1875	McClelland	18 0 34	26 5 0	577 10 0	18¾	22
	Ross	27 0 8	17 5 0	425 0 0	18½	25
1876	McKeisack	16 3 31	12 10 0	440 0 0	17½	35⅕
	Green	16 3 8	11 15 0	250 0 0	17¼	21⅓
	Hamilton	12 1 11	6 10 0	450 0 0	17	69¼
1878	Brizzle	119 1 10	27 0 0	800 0 0	16¾	29½
	Smyth	28 0 32	12 0 0	540 0 0	16¾	45
	Atkinson	33 1 34	41 5 0	880 0 0	15	21½
1879	Rosborough	45 2 24	25 10 0	360 0 0	14¾	14½
	Gormley	26 0 7	14 5 0	415 0 0	14¾	29⅓
	Kane	66 0 16	6 15 0	200 0 0	14¾	29½
	Williams	22 3 22	8 10 0	250 0 0	14½	27
	Toner	24 2 5	14 15 0	775 0 0	14½	52½
	Miller	34 1 28	18 10 0	500 0 0	14¼	27
	Henry	47 3 26	40 0 0	1130 0 0	14	28¼
	Miller	37 1 3	16 15 0	400 0 0	14	23¾
	McDonagh	24 2 31	12 0 0	400 0 0	14	33⅓
1880	Walker	16 1 2	3 15 0	162 0 0	13¾	28
	Stewart	22 0 22	18 10 0	540 0 0	13¾	29⅕
	Cochrane	34 3 10	16 10 0	450 0 0	13¾	27¼
	Clarke	18 1 21	20 0 0	820 0 0	13½	41
	Ross	51 1 28	41 0 0	805 0 0	13¾	19½
	Craig	203 0 5	24 13 3	600 0 0	13½	24⅕
	Sloane	19 1 20	24 10 0	500 0 0	13½	20½

Fishmongers' Company.

Year.	Tenant.	Acreage.	Rent, including County Cess and Poor-Rate.	Premium paid by Assignee.	Time the Lease had to run.	Number of Years' Purchase.
		A. R. P.	£ s. d.	£ s. d.		
1880	Brizzle . . .	169 2 5	29 10 0	510 0 0	13½	17⅓
	McGreelis . . .	8 1 37	3 15 0	200 0 0	13	53⅓
	Ferguson . . .	28 2 26	14 0 0	600 0 0	13	42¾
1881	Fleming . . .	90 0 13	34 0 0	815 0 0	12	24
1882	Coyle . . .	23 2 19	17 0 0	295 0 0	11½	17⅓
	Whiteside . . .	111 0 38	16 0 0	130 0 0	11½	8
	Bryson . . .	18 3 28	17 15 0	505 0 0	11½	28½

The above statement contains particulars of all the sales of which full details have been furnished to the Company on application for licences to assign.

The foregoing statement shows that no less a sum than 30,473*l.* 10*s.* has been paid by incoming tenants in purchasing leases under the Company, of which, on an average, only 12 years were unexpired—the amounts so paid being, on an average, 25½ years' purchase.

The evidence of two of the witnesses would convey the impression that the Company have done little for the benefit of their Irish estate, and, with some quite unimportant exceptions, nothing for their tenants.

A careful examination of the Company's books leads to an opposite conclusion.

They show that from the year 1820, when the estate fell into the Company's hands, down to the year 1881, the Company have expended large sums in road-making, irrigation, the construction of river and canal banks, the supply of building and other materials, labour, grants and allowances to tenants, planting, the building of cottages, mills, and dispensaries, the maintenance and support of seven schools, wherein excellent practical education is given to more than 500 children of the tenantry and labourers on the estate, towards the erection and maintenance of places of worship, Episcopalian, Presbyterian, and Roman Catholic, in grants towards the support of their ministers, and in casual relief and pensions.

Without entering into needless detail, the following may be taken as a perfectly fair approximate statement of the amounts expended under the several heads since 1820 :—

		£
For roads, irrigation, river, and canal banks .	about	28,558
For building materials supplied, labour thereon, grants and allowances to tenants . . .	„	26,443
For cottages, dispensaries, mills, reclamations, town-parks, farming societies . . .	„	33,722
For trees, woods, and plantations . . .	„	20,632
For schools	„	33,528
For places of religious worship and donations to ministers	„	21,292
For relief, pensions, and donations to the sick, aged, and destitute on the Company's estate .	„	24,849
		£189,024

Fishmongers' Company.

Frequent references have been made in the evidence given before the Commission to the alleged desire of the Irish tenantry to buy their holdings.

This is a subject which has engaged the careful attention of the Court, who have, without pledging the Company to any particular course of action, passed the following resolution :—

"That, having regard to the course of recent legislation relating to "land in Ireland, this Court is of opinion that it would be desirable "that the Company should, at the proper time, sell their Irish estates to "the occupying tenants, so that each tenant may have the opportunity "of purchasing the freehold of his own holding on reasonable terms."

As respects any reforms that might be suggested, the Company would refer to what appears in their return already submitted. They are willing and desirous to adopt any proved reform consistent with the duty to preserve the rights of the Company confided to the guardianship of its managing body. As to the suggestions of witnesses, everything coming from the Senior Inspector of Charities under the Charity Commissioners is, of course, entitled to respectful consideration. But the scheme set forth by him appears far too wide, and, if it may respectfully be said, too vague, to be practically susceptible of adoption; while the proposals as to giving wider scope or greater control to the Company over the conduct of the trade would require the most careful handling to avoid exciting the jealousy or opposition of the very persons whom it might be desired to benefit. At the same time the Court of the Company are quite prepared to give effect to any practicable suggestions for establishing relations closer than those at present existing between the Company and the trade.

As respects the number of the governing body, which is fixed by the charters, if this were reduced, it would be disadvantageous to the livery, the persons from whom the Court is selected; and if seniority were made the qualification for membership of the Court, the efficiency of that body for the government of the Company would be certainly reduced, from the extreme age of its members; the youngest member of the Court at this moment, had the rule of seniority prevailed, would be over sixty-five years of age. The management of the Company's affairs would, under such a rule, fall to an undue extent into the hands of its officers, with little, if any, effective control; and there would immediately arise a tendency to make the livery far more exclusive, to the serious prejudice of the body of freemen, while the inducement which mainly influences the most desirable of its members to join the livery would no longer exist.

GOLDSMITHS' COMPANY.

MEMORIAL.

London, E.C., Goldsmiths' Hall,
November, 1882.

To Her Majesty's Commissioners appointed to inquire into the City of London Livery Companies.

Gentlemen,—The Goldsmiths' Company instruct me to express their appreciation of the courtesy of the Commissioners in sending them a print of the oral evidence which has been given before them, and they desire to make the following remarks on some parts thereof.

Goldsmiths' Company.

They find that charges of conduct, prompted by unworthy motives, have been made against them; and as they assume that the Commissioners will report upon each Company separately, it is important to the Commissioners as well as to the Goldsmiths' Company that mis-statements should not go forth uncorrected.

I begin with the evidence of Mr. E. J. WATHERSTON, one of the Liverymen of the Goldsmiths' Company, and in dealing with the statements of this witness, as he has thought fit to bring himself and his father and their contentions with the Goldsmiths' Company prominently before the Commissioners, I shall be obliged most unwillingly to refer to personal matters of a very unpleasant character.

Mr. E. J. WATHERSTON has asserted that his father was opposed by the Company, and rejected for the office of Warden because he was a reformer. This is entirely untrue.

When Mr. Watherston's turn came to be nominated for the office of Warden, he was nominated and balloted for in the usual manner. The result of that ballot was not in his favour; in fact, he had but one vote.

The following Members of the Court were present, viz.:—

James Boyle Smith;
William Gladstone;
Alderman William Taylor Copeland;
James Bankes Friend;
George Ashlin;
James Garrard,
George Smith Hayter;
Richard Davis;
James H. Watherston;
Alexander Trotter;
William D. Child;
Henry John Lias;
James Malcolmson;
Augustus W. Gadesden;
John Gray;
Richard Fownes Wingrove;
William G. Hicks;
Henry Sykes Thornton; and
George Grenfell Glyn.

Now I will ask whether it is likely that eighteen gentlemen, comprising amongst them men of his own craft as well as some of the leading bankers and merchants of the City of London, would be unanimous in rejecting a colleague without due cause.

It is true that subsequently the members of the Court declined to hold any communication with him; they did so in consequence of his offensive conduct. This state of things continued for some time, but ultimately he apologized to the Court for his behaviour through me, and he also apologized to its members individually; after this he and his colleagues of the Court went on smoothly together, but subsequently his conduct soon again became unpleasant and offensive.

With regard to the letter which he addressed in July, 1876, to the Masters, Wardens, and Courts of Assistants of every Livery Company of the City of London, in which he signed himself "a Member of the Court of Assistants of the Goldsmiths' Company," it is to be noted that he was then, and had been for some time previously living in Devonshire, and then seldom attended the meetings of the Company, and that he was probably, therefore, not aware that for a long time previously the subject of Technical Education had been (informally it is true) under the consideration of the Goldsmiths' Company, and some of the other chief

Livery Companies. Indeed at that time the main question was not whether the undertaking should be commenced, but what form it should take, and how it should be carried out; Mr. Watherston's views and those of the Company were very dissimilar, and his views and those which have subsequently been acted upon under the advice of the most eminent practical men of science of the present day, are opposed to each other, and the Company certainly did not approve of his signing his circular letter as "a Member of the Court of Assistants of the Goldsmiths' Company," embodying as it did his individual view, and not those of the Company. Goldsmiths' Company.

With regard to the witness, Mr. E. J. Watherston, he has not disguised his ill-will towards the Company and his desire (to use his own words) "to disestablish it." He has tried for years to write down the Company in certain papers. This being so, it was not likely in 1878, when he applied for certain information to which he was not entitled as a matter of right, that the Wardens would give it to him as a matter of favour.

This witness complains that on the morning of the day of his examination, he had applied for a copy of the oath which he took, and that the person to whom he wrote replied to him that he was unable to comply with his request, without asking the permission of the Wardens. This person was not myself or any superior officer of the Company, but was Mr. Williams, a clerk in my office, who certainly has no authority to give copies of documents to liverymen without the authority of the Wardens or myself.

In order to depreciate what the Company have been doing for the last eleven years with a view to encourage Technical Education in the design and execution of works in the precious metals, this witness has endeavoured to induce the Commissioners to believe that the prizes which have been offered by the Company yearly since 1870 are solely for drawings; that the drawings or designs which have been produced have been of no value; that they have never been carried out on any single occasion; and that no person in the trade attaches any importance to them. All these statements are untrue. The prizes are offered not only for designs in the shape of drawings, but for models and for excellence in executed works. As to their value, Mr. Watherston, in his letter to Mr. Beale, says "ask Mr. Poynter," meaning Mr. E. J. Poynter, the Royal Academician.

The following letter from Mr. Poynter in answer to my inquiry addressed to him on this subject will speak for itself,—

28, Albert Gate, S.W.,
June 22nd, 1882.

Dear Mr. Prideaux,—I have no hesitation in saying that the Goldsmiths' Company's prizes called out some very good designs, many of which would have worked out well if they had been executed. Whether the competitors were "pot-hunters" I do not know; I presume that they were frequently professional designers, and I imagine it to have been part of the intention of the Company to encourage a better kind of work among this class. But they were not invariably trade designers; to the best of my recollection we had many designs sent up by students of Schools of Art, and others.

It seems to me to be in the nature of things that the designs as a rule should not be carried out; the execution of large pieces of plate being expensive, it is difficult to see how the Company could give commissions for the execution of the prize designs without encumbering themselves with costly pieces of plate, which they do not want, and it

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is not often that firms of silversmiths have the will or the opportunity to carry out a large ornamental work not specially designed for them, as Messrs. Elkington have done in the case of Watkins' admirable design for a shield.

The list of subjects for which the prizes were offered seemed to me to be well considered and to cover all that is necessary, and the Company always showed themselves ready to listen to any suggestions which I had to propose ; and I know of no way of encouraging an art but by offering prizes, and opening competitions, for design and workmanship : —unless,—and you will remember that I have spoken to you once or twice on this point with reference to repoussé work—it be by the establishment of technical schools under carefully selected instructors. This, however, is another matter. I am confident that the money spent by the Company has done good service in the encouragement of good design.

I am, very truly yours,
EDWARD J. POYNTER.

Executed works and models in plaster of great beauty have obtained prizes, and at the present time, as stated by Mr. Poynter, Messrs. Elkington and Co. are executing at a large cost a most beautiful work from a design for a shield, by Mr. J. Watkins, which obtained a prize in 1876. To four of the successful competitors, the Goldsmiths' Company have also awarded Travelling Scholarships, from which the holders have, it is believed, derived great benefit.

The following extract from a letter dated the 26th of June, 1882, from Mr. Owen Gibbons, who held one of these Scholarships, will show what is the opinion of a practical man, of the value of the competition established by the Company.

Mr. Gibbons is now the master of a school of art at the Coalbrook Dale works in Shropshire.

He writes to me as follows, viz. :—

"With regard to the good your competition has done, for my own part I can say that had it not been for it I should not have practised design in goldsmiths' work to anything like the extent I have done, and in my designs for actual execution in the precious metals I should not have been so ready, and I could not have taught my students so well how to design for goldsmiths' work.

"Even in the case of those who failed to take prizes, the endeavour to design, and the study, and consequent knowledge gained, is a great step towards the improvement of design.

"If the Science and Art Department prize drawing and models were to be judged by the number sold, the idea gained would be that the Art Schools do no good, but what the Department aim at (and the Goldsmiths' Company also) is to improve the decorative art of the kingdom by encouraging the best art, and keeping the students working so that they may be led on from one success to another, at the same time an exhibition is held to show those who failed in what way they came short of success.

"With regard to the Travelling Scholarship I can only say that I learnt a great deal. The drawings I made have been of great use to me, the knowledge I gained of much more.

"If the Goldsmiths' competition were to be given up I should feel that the art of design had suffered a great loss."

As to Mr. Watherston's complaints of the hall-marking of plate, he is entitled to his own opinion, but in holding himself forth as the

champion of the trade, we must point out that he has failed to get the trade to go with him. Goldsmiths' Company.

On the 3rd of April, 1878, a meeting of the trade was held at St. James's Hall. At that meeting four-fifths of the firms which pay the plate duty were represented, and a resolution was unanimously passed that it was undesirable to interfere in any way with the present system of hall-marking.

Mr. Watherston has complained of me for the part which I took before the Select Committee on the subject of gold and silver hall-marking in 1878 and 1879. The course which I took upon that occasion was simply this: I endeavoured to make the Committee understand the state of the law, and the system pursued, and I believed it to be my duty to correct mis-statements made by Mr. Watherston, and to show that certain conclusions which he stated were, as I believed, erroneous. For instance, he stated that he knew that wedding-rings hall-marked in England were sent out to some foreign dealer and the rebate or drawback of duty received, and that afterwards they were easily smuggled back into England. He stated that he "*knew that this could be done and that he felt sure that it was done*" (*See* Report on Gold and Silver Hall-marking, House of Commons, 1878.—Question 207).

With reference to this mis-statement I informed the Committee that this was a pure invention, for in the year 1820, long before the witness was born, an Act of Parliament was passed which enacted "*That there "should be no drawback allowed on the exportation of wedding-rings or "any rings or on any ware of gold under two ounces in weight,*" and therefore it was utterly impossible that this should have occurred. (*See* Report, Question 1583.)

The witness in his examination before the Commissioners has complained of the manner in which the hall-marking is carried on by the Company, and has stated that it is very much better done in France, where, he says, it is done by what is called "touch," and not by the "scrape and parting assay," as it is in this country.

He says "the hall-marking is admirably done in France, and very "badly done in this country by reason of the antiquated manner in "which it is conducted."

Now, as regards this charge it is to be remarked that in 1878, when he was examined before the Select Committee on Hall-marking—*many goldsmiths and silversmiths being then present*—he was asked the following questions:—

"Do you object to the way in which they do the hall-marking, or do you object to the law which gives so important a public function to a body of gentlemen who have not experience in that particular trade?"

To which he answered, "To the law." "*I have no cause to complain "of the manner in which the work is done.*"

He was then asked, "Then yours is rather a theoretical than a prac-"tical objection?" To which he replied, "Decidedly so." On which the chairman remarked, "If they do the work well and employ proper "people, I do not see that there is much room for complaint." (*See* Questions 93, 94, and 95, House of Commons' Report on Hall-marking, 1878.)

As regards the statement that the hall-marking of gold and silver plate is done differently in France from the manner in which it is done in England, that is to say, that it is done by the "touch," here again the witness has made a mis-statement. It is true that in France small articles which cannot be scraped without injury, such as jewellery, which in England are exempted from hall-marking, are tested by what is called the "touch;" but the French, recognizing the inaccuracy of this method,

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by the law of 19 Brumaire, an 6 (9th of November, 1797), require that the assay of all such articles as alone are here subject to obligatory hall-marking, shall be tried in the same manner as that employed in England, viz., by scraping and cupellation. In corroboration of this it may be stated that in the year 1865 the Goldsmiths' Company sent one of their assay officers over to France to see their mode of treating the work in the operations of assaying and marking in the establishments there, and he found that it was done in almost exactly the same way as it is done in England. It was done by scraping and cupellation, or the "parting assay." He bought a gold watch-case in the assay office in Paris which had been sent to be assayed and marked, having got the assay master to stop it, in order that he might bring it over and show how it was done. That gold watch-case I have in my possession at the present time. It is in its rough state, and shows exactly from what parts the scrapings for the assay have been made, and that the process has been identical with that used at Goldsmiths' Hall.[1]

Reverting to that part of the evidence of Mr. E. J. Watherston, in which he complains that if one article in a parcel of plate is defective the whole parcel is broken, the answer is that the power to do this is not exercised unless there is reason to believe a fraudulent intent or a want of care. As a matter of fact the care of the honest manufacturer, and the influence exercised on the less scrupulous by the action of the Goldsmiths' Company, has had the effect that only about ·75 per cent. of the gold plate and ·25 per cent. of the silver plate offered for assay is broken.

The witness moreover says :—

"*I should like to place on record this fact, that only six years ago they (meaning the Company) were strongly opposed to Technical Education.*"

Now we may remark that the demand for Technical Education is of comparatively modern date, and that the Goldsmiths' Company had a very early appreciation of its importance is shown by the steps taken in 1871 to organize a plan for its encouragement by offering prizes and travelling scholarships.

Here again then we have a palpable mis-statement by Mr. E. J. Watherston ; for instead of being strongly opposed to Technical Education six years ago, it will be seen that eleven years ago the Company established a scheme for its promotion, which has been in full action ever since.

It is most distasteful to be obliged to deal with subjects of a personal character which might have remained in oblivion if Mr. E. J. Watherston had not thought fit to bring his father's and his own contentions with the Company as matters of complaint before the Commissioners.

[1] Since this was written I have received from the chief officer of the assay office (Bureau de la Garantie) in Paris, the following note, in answer to questions which I addressed to him :—

1. La Loi du 19 Brumaire est encore celle qui régit toutes les opérations de la garantie en France.

Les ouvrages d'or, 1*er*, 2*d*, et 3*e* titres, qui sont d'une dimension qui permet la grattage pour la prise d'essai, sont essayés à la coupelle et marqués du poinçon à la tête de médecin grec—No. 1, 2, ou 3—qui garantit le titre—920, 840, 750. Ceux qui ne peuvent subir la prise d'essai sont essayés à la preuve de touche et marqués d'un poinçon special (tête d'aigle), qui garantit le payment des droits et un titre *approximatif* au dessus de 650.

2. Les ouvrages d'argent au 1*er* et 2*d* titre qui peuvent supporter la prise d'essai sont essayés à la coupelle et marqués des poinçons tête de minerve 1 (950), tête de minerve 2 (800).

Ceux qui ne peuvent supporter la grattage sont essayés à la preuve de touche et marqués du poinçon à la tête du sanglier.

He having done so, the Goldsmiths' Company feel that they have no alternative than to defend themselves. Goldsmiths' Company.

A few remarks are necessary on the evidence of other witnesses.

Mr. Longley says, that with regard to certain Companies of which he had experience, he should say that they had been exceedingly liberal in their administration of the trusts, and in many cases which are already known to the Commission, have subsidized the trust funds very largely out of their corporate income; "but," he remarks, "on the other hand "our experience is that their administration of the trusts has been on a "very generous scale, as regards expenses, almost lavish in some cases."

Now with regard to these observations, the Goldsmiths' Company desire me to state that they have never charged any expenses for management against any one of their charities. The whole of the costs of the management of their charity property, and the administration of the trusts reposed in them, has been paid for out of their general corporate income.

Two witnesses, namely, Mr. Beale and Mr. Gilbert, have thought fit to make some remarks on the subject of my salary, as Clerk of the Company; and Mr. Gilbert has taken upon himself to make a computation of my income, not only from the Goldsmiths' Company, but from other sources. Mr. Gilbert can know nothing of my private affairs, nor, even with the widest licence allowed to witnesses in this inquiry, can he be concerned with any part of my income, excepting that which arises from my office as Clerk of the Company.

He has stated that I am Secretary of the Assam Tea Company, and, to use his own words, "one of the leading men of the New River Company," "and I believe one or two other things as well."

Now I am not Secretary of the Assam Tea Company; I am a Director of the Assam Company, and I have been so for many years. I am also a Director of the New River Company, but not "of one or two," or of any other things whatever. If the witness means to complain of my holding those offices, I say that he might as well complain that I spent some hours a week in general reading, or in any pursuit other than that of my duties as Clerk of the Company. My employment as a Director of these two Companies occupies me on an average about two hours a week, and taking much interest as I have done in their affairs, I may say that it tends to relieve the monotony of a life which has been, and still is, one of great labour; besides, as regards the New River Company, my presence as a Director at the Board of that Company, at which I represent the share of a friend, is, I believe, of service to the Goldsmiths' Company in enabling me to watch over their interests, they being the owners of a share as trustees of Sir Hugh Middelton's Charity.

As regards the amount of my salary, the facts relative to it are stated in the Company's Return.

I have held my office for upwards of thirty years—I am now in the seventy-seventh year of my age.

I never was related to, or connected by blood or marriage with, any member of the Company.

I never directly, or indirectly, made any application to the Court for an increase of my salary, but in 1860 it was raised from 1000*l.* to 1300*l.*, and so continued until the year 1877, when it was raised to 1800*l.*; so that I have only received my present salary for about five years.

The office which I hold is one of great trust and responsibility; its duties are very onerous and laborious, and the Court of Assistants having become convinced that the duties had so much increased that I could

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not perform them alone without the sacrifice of my health, appointed my son to be my assistant.

I have reason to believe that the Court of Assistants were of opinion when they last raised my salary, that for a long period I had been under-paid. Be that as it may, they well knew what my services had been, and what they continue to be, and they thought fit, for the short period during which in the course of nature I can continue to hold my office, to grant me what no doubt is a liberal remuneration.

I now propose, on behalf of the Goldsmiths' Company, to submit to the Royal Commissioners some observations on certain legal questions which have been raised during the taking of evidence before the Commission, and on the legal position of the Company.

I.

It was alleged by one of the witnesses (Mr. J. Beale) that the original charters of the Companies were invalid as being beyond the power of the Crown to grant. This contention was rested on the 13th (not the 16th) section of Magna Charta (evidence, question 828), whereby it was enacted, or rather declared, as follows:—

"The City of London shall have all its ancient liberties and free "customs as well by land as by water; furthermore we will and grant "that all other Cities and Boroughs, and Towns, and Ports shall have "all their liberties and free customs." The City of London was, it should be remembered, at the date of Magna Charta (A.D. 1215) already incorporated, and the declaratory clause cited, whilst it confirms the corporate rights of London, and all other Cities and Towns, does not otherwise abridge the power of the Crown to grant Charters to Companies for the regulation of particular Industries. But it is said that the right of search granted to the Goldsmiths' Company (as well as to other Companies) by the Charter of Ed. 4 is "not consistent with the liberty "of trade; the right of search was granted and was bad, and if that is "bad the Charter is bad" (Ev. 829). But even assuming the right of search is inimical to trade, it does not follow that the Crown could not grant it; nor, again, if the right of search be inimical to trade, and for that reason could not be validly granted, does it follow that a Charter professing to grant it is void altogether. It is, however, unnecessary to make any lengthened observations on the allegation that the Charters were *ultra vires*. They have now been acted on for centuries, and any objection to their initial validity could not certainly, after such a lapse of time, be successfully sustained (Ev. 986—990), and with reference to the Goldsmiths' Company in particular, Parliament has repeatedly recognized the validity of their Charters. Thus the 12 Geo. 2. c. 26. contains a recital that the "Wardens and commonalty of the Mystery "of Goldsmiths of the City of London are, and have been, a guild, or "corporation, time out of mind, with divers privileges confirmed and "enlarged by several Charters from his Majesty's royal predecessors, "Kings and Queens of this realm, amongst other things for the *search-* "*ing*, assaying, supervising, marking, and regulating wrought plate in "order to ascertain the standard thereof, for the good and safety of the "public:" so far therefore as regards this Company, any objection to the validity of their Charters, on the ground of an illegal right of search having been conferred, seems to be absolutely unfounded.

II.

Another witness (Mr. E. J. Watherston) expressed an opinion that

the Charters of the Companies have been forfeited by their dissociation, either wholly or in part, from the crafts with which they were originally connected (Ev. 1014), or by the distribution of their funds for purposes foreign to those originally intended (Ev. 1074). This opinion, at all events, so far as concerns the severance between crafts and Companies, appears to be shared by Mr. J. R. Phillips (Ev. 1331). With regard to the severance between the crafts and companies, it is unquestionably true that in fact there is, more or less, such a severance. It arises in the Goldsmiths' Company, as in others, from the method in which, from a very early period, the freedom of the Company has been acquired. If "servitude" had been the only method of acquiring it, the severance would, no doubt, have never taken place. But from a very early period it could also be acquired by (*a*) patrimony and (*b*) redemption. Every freeman's son born after such freeman was admitted to the freedom is entitled to be made free at twenty-one years of age, and any person duly proposed, balloted for, and approved, is empowered to buy his freedom. Those systems of obtaining the freedom of the Companies were notorious long before the date of many of their confirmatory Charters, and, inasmuch as they necessarily involve the incorporation of non-trade members, the fact of their existence cannot be a ground of forfeiture of the Charters. Nor could it be a ground for questioning the title of the Companies to gifts of testators and others made with knowledge of the prevailing practice. With respect to the Goldsmiths' Company, there can be no doubt that at the date of the Charter of the 17th of James I., which confirmed to this Company the bulk of their estates, the character and composition of the Company had become substantially what they are now. As to the alleged diversion of the property and functions of the Companies from trade purposes, that cannot, under the circumstances of the case, be objected against the Goldsmiths' Company. They have been invested by Statute with important functions, and it cannot be urged against them that they have in any particular failed in their duty.

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III.

But it is further suggested that the Charters of themselves constitute a trust (Ev. 350), and that the Companies are bound to make a public use of the money which belongs to them (Ev. 1282-1284). Their property is alleged to be "in no sense private property" (Ev. 1321). "All the "Corporate property," said Mr. J. R. Phillips (Ev. 1381), "is coupled with "trusts, and I base that opinion not only on my own knowledge, which "is very humble in itself, but upon the opinion of Lord Selborne, the "present Lord Chancellor, with regard to the property of the Inns of "Court, which are not incorporated." The analogy thus suggested between the Inns of Court and the Companies is, it will be found, entirely without any basis, either of fact or of law. It is an analogy moreover distinctly repudiated by the Lord Chancellor. In his evidence before the Commission (Ev. 1680) he observed upon this point in the following terms:—"If I am permitted to say so, I see that a gentleman "who has appeared before this Commission has referred to a speech "which I made in the House of Lords about the Inns of Court, as if it "were to be inferred from that, that I thought the Inns of Court and "the City Companies were *in pari conditione;* I do not think so at all, "the reasons that lead me to think the Inns of Court a public Institu- "tion have no application whatever to any Company, or at all events to "the only one I know, that is the Mercers' Company, not the slightest." What then is the true legal position of the Companies? The answer is given in clear and unmistakable language by the high authority just

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quoted. They are "absolute and perfect masters of their own property." . . . . "In point of law the City Companies are absolutely entitled to their "property in the same manner and as fully as a private owner would be, "and under no trust whatever. Of course it will be understood that I "do not speak of estates which have been given to them on any special "trusts." . . . . There may be a greater moral responsibility, but not any greater legal right. . . . . "They are ancient institutions; the funds "which I call their own property were derived as far as my knowledge "extends from their own subscriptions and gifts by their own "members and others, intended to be for their absolute use; and "although I do not think the present generation ought to put those "gifts into their pockets, yet on the other hand I cannot admit "for a moment that they are upon the footing of public trusts." (Ev. 1682-1684), and again (Ev. 1695), the Lord Chancellor stated that he knew of no legal limit to the control of each Company over its property (not subject to any special trust), nor of any "*equitable* limit, in the "legal sense of the word equitable." In the case of the Attorney-General *v.* the Fishmongers' Company (6 Bea. 550) nothing can be more emphatic than the language of the Master of the Rolls. "The argument," he says, "might be very well, provided you were not encroaching on a revenue, "which, according to the construction which it appears to me ought to be "put upon this codicil, belongs as private property to this Company. If "the testator has fixed on certain salaries which fail to provide for the "fulfilment of his intention it is, no doubt, very much to be regretted, "but you cannot, at the expense of the Company to whom the testator "has given a beneficial interest, take that interest from them." It is impossible usefully to add anything to these expressions of opinion. At the same time it may be permitted on behalf of the Goldsmiths' Company to claim for themselves what the Lord Chancellor claimed for the Mercers, that they have always administered their funds for charitable and useful public purposes. They cannot acknowledge any legal or equitable obligation with regard to property not impressed with specific trusts; but they most cordially assent to the Lord Chancellor's view, that "the City "Companies, assuming them to be, as I believe them to be, in law abso-"lute and perfect masters of their own property, as distinct from that "which they hold on trust, could do nothing better with their property "than promote objects which were for the public interest" (Ev. 1682). That has been their practice in the past, and will be their practice in the future.

IV.

Again, Mr. Beale contends (Ev. 698-834) that the Companies are public because they are "Municipal," but if this were a correct view of their position, his contention would be opposed to a long series of decisions in the Court of Chancery. The cases referred to by Mr. Longley (Ev. 350) may be taken by way of illustration. Thus in Attorney-General *v.* The Corporation of Carmarthen, Cooper 30, it was decided that a Court of Equity will not interfere to prevent misapplication of Corporate funds, as distinct from funds held by a Corporation on express trusts; and in Mayor of Colchester *v.* Lowten, 1 Ves. and Beames 220, the same rule was laid down and acted upon, Lord Eldon refusing to interfere to prevent the alienation of Corporate property not affected by charitable trusts. Whether, therefore, the Companies are regarded as "Trading" or "Municipal," the attempt to attach the doctrine of trust to their general funds equally fails.

V.

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It remains to add a few words upon the true legal position of the Companies, and more particularly of the Goldsmiths' Company, with regard to the property which they hold. Much that is applicable to that Company is no doubt applicable to others, and the following observations, which directly apply only to it, may be taken, in many respects, as illustrative of the position of all.

It will be seen from the remarks already made that there is absolutely no foundation, either for the suggestion that the Charters of the Company are invalid, or that they have been forfeited. The Company is unquestionably a lawful subsisting Corporation. But then it is said that the mere fact of their property being "Corporate" in some way affects their right to deal with it. Property, however, does not become public simply because it belongs to a Corporation. If that were the case it might be asserted that the property of every Joint Stock Company is on the footing of a public trust.

There is no authority whatever, it need hardly be said, for such a proposition. Numerous cases have dealt with the question of a Corporation's right to use, under certain circumstances, the surplus or increment of trust property. But in all it has been assumed that a Corporation or Company might hold property for its own benefit, and the only point for discussion has been whether, upon the technical interpretation of a donor's or testator's intention, the Corporation or Company were entitled to use for their own benefit such surplus or increment. This, of course, depends upon the language of the benefactor, whose intention must, if possible, be discovered, either by reference to his action during his lifetime, or in some other way. Attorney-General *v.* Brazenose Coll., 2 Cl. & F. 295. Attorney-General *v.* Skinners' Company, 2 Rus. 407. Attorney-General *v.* Dean of Windsor, 8 H. L. Cases 369.

It is unnecessary, however, to do more than refer to this class of cases, for it is not alleged that the Goldsmiths' Company have, in any instance, improperly devoted to their own use any property, or the surplus income of any property, left or given to them upon any specific trust. They have throughout duly administered all their *trust* estates in accordance with the principles laid down for the guidance of trustees in the above cases, to which may be added the following additional authorities. Attorney-General *v.* Mayor of South Molton, 5 H. L. C. 1. Attorney-General *v.* Mayor of Beverley, 6 H. L. C. 310. Attorney-General *v.* Caius College, 2 K. 150. Attorney-General *v.* Drapers' Company, 2 Beav. 508. Attorney-General *v.* Coopers' Company, 3 Beav. 29. Merchant Taylors' Company *v.* Attorney-General, L. R. 6 Ch. App. 512, per James L. J., at p. 518. Attorney-General *v.* Wax Chandlers' Company, L. R. 6, H. L. 1.

In early times, when property was frequently given by deed or will to provide for masses and prayers for the souls of deceased persons, Corporations were often chosen as the trustees of such purposes on account of their perpetuity, and much property came to the City Companies in this way. At the Reformation all such uses were put an end to by Act of Parliament, and all property held upon trust for such purposes was vested in the Crown. The Goldsmiths' Company thus suffered in common with others a large diminution of their estates. A very considerable part of their present property was bought back by them from King Edward the Sixth, and has thus become vested in them under circumstances which absolutely forbid the notion of its being encumbered with trusts of any description. This grant of Edward the Sixth was confirmed and enlarged by an Act of Parliament of 4th of James the First, and the Com-

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pany, therefore, hold the bulk of their property by nothing less than a Parliamentary title. It seems almost superfluous to add, but it is the fact, that lands held by the Fishmongers' Company under similar circumstances, and confirmed to them by the same Act of Parliament, were held by Lord Langdale to be the absolute property of the Company and subject to no charitable trusts whatever (Attorney-General *v.* Fishmongers' Company, 2 Beav. 151). In respect of these large portions of the Company's estates, the title is clear, the documents of title speak for themselves, there is no room for any *presumption* to spring up, and unless at the moment when the Company purchased the property from the Crown a trust was impressed upon it, there can be none now. Neither the grant, however, nor the statute confirming the grant, contains a word in qualification of the absolute ownership they profess to convey, the old trusts for superstitious uses had been abrogated by the legislature, the whole value of the property originally appropriated to those uses had been vested in the Crown, and the purchase money for the new grant formed part of the general Corporate property of the Company. It could not have represented anything held in trust for superstitious uses. There is no evidence whatever, and no ground for supposing that it represented any other trusts.

The case cited is one of great authority, and gives the sanction of express decision to the view enunciated.

The Company have from time to time sold portions of their property, and their right to do so has been the subject of consideration by the most eminent and learned conveyancers, including the Conveyancing Council of the Court of Chancery, and in no instance, so far as I am aware, has a doubt been entertained of their power to make a good title to the property sold.

The attack made on the Companies is not directed to their administration of property held by them upon special trusts, but rests on the assumption that all their "Corporate" property is "public," whether it was acquired by them for charitable purposes or for purposes connected with trade, or by gift or purchase expressly for the benefit of the Companies themselves. The baseless character of this assumption has been already, it is submitted, sufficiently indicated. No authority can be cited for it, and the comparative absence of direct authority the other way may be accounted for by the circumstance that no lawyer has hitherto ventured seriously to maintain it. In the recent case of Brown *v.* Dale (9 Chanc. Div. 78) the decision recognizes the unlimited control of a trade Society or Guild over its property. There, upon a sale of land, it was held that the members of the Society for the time being were entitled to divide the proceeds in equal shares, there being no rules or provisions as to its disposition. The Court thus treated the members exactly as though they were partners in a private adventure.

VI.

In conclusion, the Goldsmiths' Company venture to submit the following legal propositions to the notice of the Commissioners.

1.—The Company were by Royal Charters legally created and are now a legally subsisting Corporation.

2.—The Charters were not *ultra vires*.

3.—The Charters have not been forfeited either by the partial severance of the Company from the Craft, or by any improper diversion of the property of the Company. There has been no improper diversion by them of their property.

4.—The control of the Company over property acquired by them by

gift or purchase and not expressly affected by any special trust, is absolute, and they are not fettered in its use by any legal or equitable obligation. Goldsmiths' Company.

Whilst thus insisting upon their legal rights the Company desire to repeat that they have always recognized the propriety in dealing with their own property of striving to promote objects of public interest, importance and utility. They beg leave upon this matter to refer to the answers they have given to the Commissioners' inquiries.

I am, Gentlemen,
Your obedient Servant,
WALTER PRIDEAUX,
Clerk of the Goldsmiths' Company.

OBSERVATIONS WHICH SIR FREDERICK J. BRAMWELL AND MR. PRIDEAUX DESIRE TO ADDRESS TO THE COMMISSIONERS ON BEHALF OF THE GOLDSMITHS' COMPANY.

Mr. Prideaux desires, in the first place, to refer to the printed letter addressed by him on behalf of the Goldsmiths' Company to the Commissioners in November last; he desires either to read that letter to the Commissioners, so that it may be embodied in his evidence, or that it may be printed as an appendix to his evidence, and as having been referred to therein by him.

He desires to make a correction at page 31 of the letter. The case referred to there is the Attorney-General against the Grocers' Company, and not against the Fishmongers' Company (6 Beav. 520).

Sir Frederick Bramwell and Mr. Prideaux desire to refer to the returns made by the Goldsmiths' Company to the Commissioners in answer to their inquiries. Those returns they believe to be as full and as complete as it would be possible for the Company to give to the inquiries of the Commissioners; and the Goldsmiths' Company desire, in referring to those returns, to rest thereon their claim, not only not to be interfered with, but to a favourable report on the part of the Commissioners upon the state of things regarding the Company which by those returns is disclosed.

Evidence affecting the Goldsmiths' Company.

The evidence given affecting the Goldsmiths' Company in particular is of the most contemptible kind, a great deal of it is absolutely untrue, as is shown by the letter above referred to.

The witnesses against the Livery Companies in general really appear to be only three persons, viz.:—Mr. Beale, Mr. Phillips, and Mr. Gilbert.

Mr. Beale is certainly the chief assailant. He speaks with the greatest confidence, appeals to Magna Charta, and brings against the Companies charges of malversation of the grossest kind.

All three of the witnesses appear to have been writers in the public papers, or in periodical publications, through which they have endeavoured to create an opinion prejudicial to the Livery Companies. Mr. Beale.

Mr. Beale says he is the writer of articles signed "Nemesis," in the *Weekly Dispatch*, and "Father Jean," in the *Echo*.

Mr. Phillips says he has written articles which have appeared in various periodicals upon questions which in this Commission are being considered, and that he is the author of letters signed "Censor." Mr. Phillips.

Mr. Gilbert states that he was consulted by some of the guardians of one of the poorer parishes in the city, and asked by them to write a Mr. Gilbert.

pamphlet upon this subject, and after he had done that he wrote some articles in the *Contemporary Review*, *The Fortnightly*, and *The Nineteenth Century*, and a couple of books upon the question.

Is Mr. Beale trustworthy?

With regard to Mr. Beale, we think we may ask the Commissioners to consider whether he is trustworthy. We ask them to compare his statements with the returns which have been made by the several Companies, and thereby to ascertain whether these statements are correct. The memorandum sent to the Commissioners on the part of the Merchant Taylors' Company will show how entirely he has misrepresented the case of Donkin's Charity, and he has stated that the site of the Grocers' Hall is included in Keble's Trust, meaning that it was subject to the trusts of Keble's will, whereas it will be found from the returns of the Grocer's Company that Keble's will was made more than a hundred years later than the time when the property was acquired by subscriptions from the members of the fraternity. These are two of many statements which might be referred to as examples of Mr. Beal's inaccuracies; others will appear in the course of the observations which I propose to make.

His misrepresentations.

Mr. Phillips: Lord Selborne's correction of.

With regard to his evidence on the subject of the invalidity of the charters of the Company, and of their title to their general corporate property, we need only observe that he has shown himself to be entirely ignorant of the law; and with regard to Mr. Phillips' opinion thereon, whose opinion, considering that he is a barrister, might appear to be of some value, we desire to call attention to his misrepresentation of the effect of the speech made by Lord Selborne in the House of Lords in 1877, and to the correction which he received from the Lord Chancellor, delivered to him on the 21st of June, 1882, in his Lordship's evidence before the Commissioners.

Mr. Watherston.

With regard to the evidence of Mr. E. J. Watherston, a disaffected member of the Goldsmiths' Company, who has informed you that he desired to disestablish the Company, we will say no more than what has been stated in the letter addressed to the Commissioners in November last.

Recommended appropriation of the Corporate Property by the State or some Public Body.

The Commissioners have been asked by these witnesses, either directly or indirectly, to recommend the appropriation by the State, or the transfer to some person or persons (it does not appear clearly whom) of the general corporate property of the Company. And this demand has been made entirely on the assumption that the general corporate property of the Livery Companies is impressed with a trust. This is an entirely unfounded assumption. There is no ground for it whatever; in proof of which we appeal confidently to the opinion of the Lord Chancellor, given before the Commissioners, and to the legal decisions which have been delivered from time to time on the subject; consequently if the assumption upon which the demand has been made is unfounded and fails, the demand itself must fall to the ground, and it is manifest that the property of the Companies cannot be dealt with, or the revenues thereof appropriated, except by what would be tantamount to an act of confiscation.

No endowment from the Crown. Property created by the subscription gifts and devises of members.

The Goldsmiths' Company received none of their property by way of endowment from the Crown, or from any person or persons outside the Corporation itself. Its property was originally created by subscriptions and contributions from amongst the members themselves, and from gifts and devises made to them by members of their own body.

From the funds so acquired, a very considerable portion of their pro-

perty was purchased from the Crown, after it had become vested in the Crown by the statute of the 1st of Edward the Sixth, and there is no more ground for interfering with it than there would be for the State to dispossess those landowners whose ancestors, after the abbey lands became forfeited, received grants of them from the Crown. If there really be any question as to the right of the Company to deal as it pleases with its general corporate property, the Companies claim that the question be decided by a court of law in the due administration of justice, and not by the opinion of Messrs. Beale, Phillips, and Gilbert. Purchase from Edward VI.

Original intention of Foundation.

The original intentions of the founders of the Company are shown by the Company's returns: the protection of their trade or mystery was one of them, but there can be no doubt that there were other objects of a charitable and social character. In point of fact it was (to use the old name) *a fraternity*, and hospitality and social enjoyment amongst themselves were amongst its objects. It is clear that there has been, by an unbroken practice of at least five centuries, an indefinite and arbitrary, but a substantial, portion of their income applied to hospitality and entertainments. The expenditure in the year 1367 of 21*l.* 8*s.* 9*d.* upon a single entertainment, the value of money and the amount of the then property of the Company being taken into consideration, is an outlay which may compare with the costliest entertainment of modern days; and from that time down to the present such an application of a part of the Company's income has been habitual and continuous.

Entertainments.

Upon the subject of the cost of these entertainments there has been the grossest exaggeration; and, indeed, the publications of the assailants of the Companies which preceded the appointment of the Commission are full of erroneous and prejudicial statements which never ought to have been made.

We will mention a few of them. In a book entitled "Municipal "London," published in 1876, we find it stated at page 52 that "in "those Companies where admission to the governing body is a matter "of seniority, it is customary for members to enter their sons on the "rolls of the Company before they are breeched, so that they may have "substantial benefit from it in their early manhood." This is manifestly untrue, for no man can be admitted to the freedom and enrolled a member of any of those Companies until he is twenty-one years of age. Then at page 53 it is stated that "no advantage is, as a rule, now "offered to any member of the particular trade who may wish to become "a member of the Company, but he would be required to pay as much "as any one else." This is untrue as regards the Goldsmiths' Company, for a member of the trade or craft only pays half the sum paid by a person who does not belong thereto. Then at page 56 it is stated that "it is a matter of common repute that the estates of Companies are "often leased to members at absurd rentals, enabling the lucky lessees "to make an excellent profit in re-letting them." Upon this assertion we wish specially to remark. "Municipal London:" incorrect statements in Especially as to sub-letting;

The Commissioners, by their interrogatories, asked us to give an account of our property and of the leases under which it was held, with the name of the lessee or occupier, *and it was asked whether he was a member.* After having read the passage last referred to in the work entitled "Municipal London," we can now understand what induced

the Commissioners to make this inquiry. Now, although we cannot see any objection to a lease being granted to a member at the market value of the day, yet as a matter of fact, in the case of the Goldsmiths' Company, Mr. Prideaux, in his long experience, does not know of any case in which any portion of their property has been leased to a member; and we believe the same may be said of the other principal Companies. The statement, therefore, is a very calumnious one.

Advantages.

and advantages of membership.

The author, in the same page, speaks of the advantages which a member of the Court of a City Company obtains. He speaks of the salary as if it was one of a very large amount. Now, a member of the Court of the Goldsmiths' Company, if he be neither a warden nor a member of the Committee, were he to attend every court in a year, would receive under 50*l.*

The writer then says, "in addition to their salaries they sometimes "find a bank note delicately secreted under their plates." So far as regards the Goldsmiths' Company, this is untrue, and we do not believe there is any foundation whatever for it as regards any other Company.

He then says that relations may be educated in the Company's schools and then accommodated with exhibitions in the University free of expense.

The Goldsmiths' Company have established seventy-six exhibitions at the Universities, which are given by competition and not by favour, and I never knew of any one who was related to, or connected with, a member of the Court of the Goldsmiths' Company who held one of these exhibitions.

Connection with trade.

Furthermore, the writer says, at page 68, that "the Charters of all "the Incorporated Companies expressly state them to be composed of "working members of the different trades or mysteries which they "represent." This, again, is incorrect. At the time when the later charters were granted, a great number of the members of the fraternities were notoriously persons who did not belong to the trades whose names the Companies bear, and at the date of the letters patent of James I. of the 24th of July, 1619, by which the king confirmed to the Goldsmiths' Company the possession of all the property which they then possessed, specifying the houses and tenements in a particular manner, neither the members of the Corporation nor of the governing body were exclusively members of the trade. Indeed, there is every probability that the majority of the members were not connected therewith.

Pensions

At page 73 of the same book, the writer says, speaking of the Goldsmiths' Company: "It is commonly reported, with what truth we know "not, the pension of a decayed Goldsmith is in some cases as much as "300*l.* a year." An examination of the returns made by the Goldsmiths' Company will show how utterly unfounded this statement is.

Again, at page 85, we find the following passage in a note: "It is "said that the Goldsmiths expend more than 30,000*l.* per annum in dining, "and the Fishmongers, Ironmongers, Clothworkers, Skinners, and "Grocers are not far in the background."

Entertainments.

An examination of the returns of the Goldsmiths' Company will show that the expenditure on entertainments, including, of course, wines, on an average of ten years has been under 6000*l.* a year, or about one-eighth part of the total income of the Company.

Mr. Gilbert.

Many of these erroneous statements are repeated in Mr. Gilbert's book, entitled "The City," published in 1877. This writer, moreover, quotes a letter from the *Weekly Dispatch*, signed "Nemesis," in which the

writer says of the Goldsmiths' Company that it has a total assumed income of over 150,000*l.* per annum, of which we have no account except as regards certain properties which he specifies, and of these properties he mentions the following:—

6 houses at Alb. Hay,
5 ,, at Halle, and
6 ,, at Malton,

of which houses or places we never heard, nor have we the smallest idea to what properties he alludes.

Mr. Firth's Propositions.

In the work intituled "Municipal London," the writer sums up his case against the Livery Companies in nine propositions, all of which are, either partially or entirely, unfounded, except so far as they contain matter of opinion.

Connection with Municipality.

Integral part of Corporation.

The first proposition is that "the Livery Companies are an integral "part of the Corporation."

This is directly contrary to the decision of the judges delivered in a judgment in error in 1775, which reversed the disfranchisement of Mr. Alderman Plumbe upon a prosecution of the common serjeant in the Lord Mayor's Court, for refusing to summon the livery of the Goldsmiths' Company, of which he had been at the time prime warden, to attend at Guildhall to hear his Majesty's answer to the humble address and remonstrance of the Corporation of London, in the mayoralty of Mr. Alderman Beckford, on which occasion Lord Chief Justice de Grey is reported to have said: "Thus far we know that the constitution of "the City of London does not contain these Companies. I mean origi- "nally and from their charters and all prescriptive rights: it is by sub- "sequent action that they came now to bear the relation they do to "these Companies as livery. The livery are not formed out of their "corporate body; some of them are supposed to have existed imme- "morially. They are not created by the king, but if it was a grant "from the king they are not essential to the constitution, but might "exist independently of it; therefore, whatever their constituent parts, "their obligations, duties, powers, customs, and rights are, either as "altogether or as individuals, they are no part of the city customs, but "a subordinate detached and independent body—I mean independent "with regard to their original institutions." And in another part of his judgment the Lord Chief Justice says: "Much less have we judicial "knowledge of the particular subordinate rights of fraternities, com- "panies, and guilds which make a part of the city, though not a part of "the Corporation of the city originally, nor of their subordinate power, "duties, and offices."

Misrepresentation of Mr. Beale.

Now, with regard to this matter, we have to make a very grave complaint. It is this, that Mr. Beale in his evidence before the Commissioners has actually represented that the judgment was in favour of the Corporation instead of the Goldsmiths' Company.

By question 824 he was asked by the hon. member for Chelsea, "Have you read the decision in the case of the Refractory Companies in "1775, when between the Corporation and the Goldsmiths' Company "the question was contested?" to which he answered "Yes." He was then asked, "What was the effect of that decision?" to which he replied,

"The Companies were found to be in the wrong, and that they were "an integral part of the Corporation, and it is fully set out in your own "book, 'Municipal London;'" and on referring to "Municipal London," page 43, we find in a note it is stated that in the case of the trial of the Refractory Companies in 1773, "the Warden of the Goldsmiths' Com- "pany was successfully prosecuted in the Mayor's Court for inattention "to a summons to Common Hall on other than election business."

The truth is that an information of disfranchisement was filed against Mr. Alderman Plumbe in the Mayor's Court, and a verdict given for the plaintiff. The defendant obtained a writ of error, and the judgment was reversed by a Court of Error on the occasion above referred to. It is manifest that if Mr. Beale's evidence, and the statement in "Municipal London," had passed unnoticed and uncorrected, the Commissioners might have been entirely misled.

Position of Companies as regards the municipality.

The fact is, that the liverymen have the right of voting for some of the city officers (not all) if they are also freemen of the city of London; but a citizen may be a freeman and a liveryman of a company without being a freeman of the city of London, and it is possible that none of the members of a company might be free of the city. Some of the companies have no livery, and that this was so, so far back as the middle of the 17th century, is shown by the recitals in an Act of the Common Council passed on the 4th of November, 1651, which are as follows:—"Whereas "by the ancient charters granted and confirmed to this city, the election "of the mayor, sheriff, and other officers of the said city ought to be by "the citizens or commonalty, whereby it is evident that the commonalty, "either personally (if without confusion it might be done) or by their "representatives chosen by them for that purpose, were to have votes on "all such elections; but of later times the masters, wardens, and liveries "of the several companies of this city have used and taken upon them, "with the exclusion of all other citizens, to make the said elections, "which practice of theirs seems to be grounded upon an Act of Com- "mon Council, made the 23rd day of September, in the seventh year of "King Edward IV., before which time the same elections had been made "by a certain number of persons chosen out of every ward for that pur- "pose, as appeareth by an Act or Order of the Common Hall, made in "the twentieth year of King Edward III., whereby to avoid incon- "veniences which happened before that time in general assemblies of the "citizens, the method of elections by representatives was appointed. "*Now, forasmuch as divers Companies of the citizens of this city have no "livery at all, and so have no manner of vote in the elections by liveries, "and for that by the constitution of most of the other Companies, the "liveries thereof are not chosen by the whole brotherhood, but by a few, as "namely by the wardens and assistants only*, and thereby the greatest "part of the citizens, members of those Companies, are also excluded from "having any vote, either in person or representation in the elections "before mentioned; and so that great privilege of choosing their mayor, "sheriffs, and other officers is wholly taken away from them to their "great grief, occasioning thereby their often complaining."

Before the year 1835 no person could be admitted to the freedom of the city who did not belong to one of the trade companies, but by a resolution of the Court of Common Council of the 17th of March, 1835, this condition was repealed, and it is no longer necessary that a freeman should be a liveryman, or a member of one of the city Companies.

This first proposition of the author therefore we maintain is entirely unfounded, and is directly contrary to a legal decision cited by him in support of it.

Public Trust Property.

The second proposition is, that "The property is public trust property, "and much of it is available for municipal purposes."

This we submit has been shown to be unfounded by the remarks which we had the honour to address to the Commissioners in November last, and by the preceding statements.

London Tradesmen and Artisans.

The third is, "The Companies are trustees of vast estates of which "London tradesmen and artisans ought to be the beneficiaries, but such "trusts are disregarded."

This is untrue, for all the trusts reposed in the Companies have been faithfully fulfilled.

Estates applicable to charitable uses.

The fourth proposition is, "The Companies are also trustees of estates "applicable to charitable uses. They fail to apply to such uses the funds "fairly applicable to them."

This, again, is untrue. With regard to the Goldsmiths' Company, we appeal confidently to the report of Mr. Hare, which has been sent to the Commissioners, a report made after an examination, at the hall of the Company, into all the charities vested in the Company, which examination extended over a period of upwards of three months.

Connection with Trade.

The fifth proposition is, "The Companies were incorporated to benefit "trades, to train artisans, and to repress bad workmanship. They "perform none of these functions."

The Goldsmiths' Company notably perform all these functions at the present time. They are entrusted by statute with the supervision of the trade, and they help to train artisans by offering prizes for excellence in the design and execution of works in the precious metals.

Companies to be Members of Trade.

The sixth proposition is, that "The Companies are by charter to be "composed of members of a given trade in many cases, and are legally "compellable to admit members of it. They admit members irrespective "of trade, and impose restrictions on those who are admissible."

We know of no law which would compel the Company to admit any person a member of it, unless he were entitled to become a freeman by servitude or patrimony; and that they have admitted members, irrespective of trade, from time immemorial, is notorious.

Companies subject to the control of the Corporation.

The seventh proposition is, that "The Companies are subject to the "control of the Corporation; but as the members of that body are "members of the Companies also, and are promoted in the latter concur- "rently with their advancement in the former, such control is never "enforced."

That some sort of control was exercised by the Corporation in ancient times there is no doubt. It has long ceased to be exercised. The Municipal Corporation Commissioners, in their report of the year 1837, say: "The Corporation possesses a very slight, indeed hardly more than "a nominal, control over the Companies."

Companies subject to the control of the Crown.

The eighth proposition is, that "The Companies are subject to the "control of the Crown, and their lands and monopolous privileges were "only granted on condition that they performed certain duties. They "have ceased to perform the duties, but they continue to hold the "lands."

This is not true. The Companies are not subject to the control of the Crown. The Goldsmiths' Company have stated in their returns, at page 58, that it is an established principle of law that the Crown cannot derogate from its own grant, and that when a charter has once been granted, the Crown cannot afterwards interfere with the operation of its provisions, or with the privileges, rights, and liabilities incident to a corporation. This statement, we contend, is a true representation of the law; and, with regard to the assertion that the Companies continue to hold the lands granted to them on condition that they performed certain duties, we have to remark that it does not appear that any lands were granted to the Companies by the Crown, excepting those for which they paid, and that the lands that are held by the Companies, and which constitute their general corporate property, were, for the most part, given to them by members of their own body, either upon trusts which have been duly performed, or without any trust for their general corporate purposes, and many of these gifts and devises were made at times when most of the Companies had ceased to perform any duties whatever.

Lands in hands of Corporations.

The ninth and last proposition is that "The continuance of a large "amount of land in the heart of the city and in the north of Ireland in "the hands of corporate and unproductive bodies is a hindrance to "commerce and a loss to the public revenue."

Upon this we have to remark that there is nothing to prevent a corporation from changing the investments of their property.

If they were prevented from alienating their real property, there might be some ground for the opinion here expressed; but they can sell in the same manner as any private proprietor. As to the public revenue, we have always considered that it would be right for corporations like those of the city of London to pay succession duty at stated periods.

This ninth proposition having been stated, the writer concludes with the remark that "if these propositions are established by the report "of such a commission, there will not be much doubt as to what "ought to be done with the Livery Companies;" and so he dismisses the case, apparently with perfect confidence as to the result.

Entertainments.

To refer again to the subject of expenditure made on entertainments and hospitality, we wish to remark that entertainments, such as those of the Livery Companies, not only afford much enjoyment to the members of the Companies themselves, but that they do real good in bringing together people of different classes and of different opinions. They are, in point of fact, English institutions; and the difference between the effect which is produced amongst Englishmen by differences of opinion, on matters of politics especially, from that which exists in the nations of the Continent, especially in France, may, we think, be traced to a great extent to the habit which Englishmen have of meeting together for purposes of good fellowship and conviviality. When a man who has ren-

Difference between France and England.

dered great services to his country abroad, returns to England, one of the first things that Englishmen do is to give him a dinner, which affords to a vast number of people an opportunity of seeing and hearing him. The Livery Companies of the city of London have enrolled amongst their members some of the most eminent men in England in all the professions. These men are frequently entertained with other persons at their halls, and it cannot be denied that these entertainments give them an opportunity of exercising an influence upon the community at large.

Opinions of M. Odillon Barrot and M. de Lesseps.

Mr. Prideaux remembers two eminent Frenchmen, each of whom, on separate occasions, after having dined at Goldsmiths' Hall, remarked to him how much he regretted that there were no such institutions as these Companies in France. Those two persons were the late M. Odillon Barrot and M. de Lesseps.

In mentioning these entertainments we feel constrained to allude with indignation to a passage in Mr. Beale's evidence before the Commissioners.

Mr. Beale.

Mr. Beale says, in answer to Question 726, "A dinner at Goldsmiths' "Hall is not a very elevating sight, and I think that the emptying of "the halls is a still less elevating sight."

This remark is gratuitously insulting. A dinner at Goldsmiths' Hall is conducted with as much decorum as any dinner of any body of gentlemen in the kingdom. It is not likely that Mr. Beale was ever asked to a dinner at Goldsmiths' Hall. Certainly he was never asked by any member of the governing body. We can only regard the above remark as a calumny of his own invention.

Mr. Phillips.

Before quitting the evidence of Messrs. Beale, Phillips, and Gilbert, we have to remark upon certain other passages therein. Mr. Phillips states he is the author of two articles in magazines, one in *The British Quarterly Review*, the other in *Fraser*. He is also the author of articles in papers signed "Censor." In answer to Question 1470 he says: "Never "in my life by one word that I have ever written have I suggested any "dishonour to any single member of those Companies."

This may be literally true. He has been too cautious; for to have singled out and named a member and imputed dishonour to him would have rendered him liable to the law of libel; but in one of his publications is the following passage, viz.: "The conduct of the Companies has "been such in their trusts as, if they had been private individuals, would "have subjected them to be treated as criminals."

And of the Goldsmiths' Company he says, "It would be the easiest "thing in the world to multiply instances of this kind which show a "dereliction of duty and a meanness which is truly despicable."

If this is not imputing dishonour, we know not what dishonour is.

Education.

One of the points made by the three witnesses has been that what the Company have done in the promotion of objects of public utility, and especially of education, has been done of late years in consequence of the agitation which was instituted by themselves, or the persons whom they represent. In refutation of this, the Goldsmiths' Company appeal confidently to their own history.

Company poor at the commencement of the century.

At the commencement of this century the income of the Company was very small. By good management from that time to this it has gradually increased, and the charities of the Company, and their expenditure upon

objects of public utility, have, during the whole of that period, been commensurate with the increase of their income. As to education, it appears to have been always a favourite object of the Company. The voluntary expenditure upon Stockport school from the year 1830 to the year 1859, and also that on the schools at Cromer and Bromyard, as stated at page 56 of the Company's returns; the establishment of seventy-six exhibitions at the Universities, as also stated in the same return; the aid given to the Society for the Promotion of the Higher Education of Women, and the prizes for the encouragement of technical education in the design and execution of works in the precious metals, established by the Company twelve years since, are evidence of this.

As it has grown richer has been more charitable.

The history of the Company's exhibitions furnishes a striking illustration of my assertion that the expenditure of the Company in charity has grown with its gradually increasing wealth. The first exhibitions were instituted in the year 1822, when three of 20*l.* each were established at each university. In 1828 the number was increased to five, and the amount to 25*l.* per annum. In 1829 the number was increased to six at each University. In 1834 it was resolved that a gratuity of 20*l.* be given to every exhibitioner who shall have graduated in honours. In 1837 three additional exhibitions were established at each University, and the amount was increased to 30*l.* a year. In 1839 two more were established at each University. In 1846 one more at each University. In 1849 five more were established at each University. In 1855 an exhibition of 50*l.* was established for a scholar of the City of London School. In 1860 an exhibition was placed at the disposal of Mr. Chase, the Principal of St. Mary Hall, for the encouragement of students at that hall. In 1865 the exhibitions were increased to 50*l.* a year. In 1871 ten more exhibitions were established at each University. And in 1876 the like number; so that at the present time there are thirty-seven at Oxford and thirty-seven at Cambridge, besides an exhibition at St. Mary Hall, and one for a scholar of the City of London School.

The Company have given the Commissioners what they asked for in presenting them with a detailed account of the expenditure of the Company for ten years. They would be perfectly ready to give such a statement for the last thirty years; and such a statement if given would show a gradually increasing charity expenditure, made out of the general corporate property of the Company, which has been continuous and commensurate with its increasing income.

In order that the Commissioners might have an opportunity of judging for themselves of the value of the expenditure upon general objects of charity and public interest so made, the Company have given for each year, as an appendix to their account, a list in detail of their donations, and they feel that they can confidently appeal to these details in proof of the care and discrimination with which the objects of their charity have been chosen.

Working classes benefited by the Company.

It has been the object of Mr. Beale and his friends to try to represent to the industrial classes at those public meetings of radical clubs which he has told the Commissioners he has frequented, that the working classes of the metropolis in some way or other would be benefited by the transfer of the corporate property of the Livery Companies from the Companies to some other body or trust, and used in some way for their benefit. We think, if the working classes listened to the counsels of a safer adviser, they would find that, instead of this being the case, a great deal of money which is now expended by the Companies either directly or indirectly for

their benefit would be withdrawn from them, and that they would not be likely to get an equivalent. Look at the expenditure in support of hospitals, dispensaries, working men's clubs, refuges, homes for working boys, orphan asylums, reformatory institutions, deaf and dumb persons, families of men who have suffered from explosions in mines, working lads' institutes, shipwrecked mariners, homes for incurables, surgical aid societies, and the pension society, asylums, and benevolent institutions connected with the trade whose name the Goldsmiths' Company bear.

Before we quit the subject of the donations made by the companies, we wish to call attention to the following passage in Mr. Phillips's article in the *New Quarterly Magazine*, viz.: "Not a five-pound note is voted "by a single one of the eighty odd companies which is not ostentatiously "advertised in every popular newspaper. Little do the public think that "this show of charity covers a mal-administration of trusts and a "reckless disregard of charitable intentions such as find no parallel. The "fact is, that in many cases these votes of money to charitable purposes "are neither more nor less than *conscience* money." All this is utterly untrue. The Goldsmiths' Company never advertised a donation made by them, and we do not believe that any other Company has done so. Some of these donations no doubt get into the public papers, but, in nine cases out of ten, we believe it would be found that the advertisement has come from the charitable institution benefited, and that it has been mentioned with a view to stimulate and encourage the charity of others.

As to the mal-administration of trusts, charged by the author, there is not the shadow of a pretence for the accusation. The whole passage contains a calumnious charge, for which there is no foundation—a charge which no public writer should have made without having ascertained that there were sufficient grounds for it.

Carefulness of Company as to reality of distress relieved.

With regard to the expenditure on the poor of the Company, which is made by the Company as trustees of several charities, we wish to state that the greatest care is taken in the investigation of every application for relief. After each case has been visited and inquired into by a responsible officer, a written report is made to the standing committee of the Company, and, when the case comes to be considered, the applicants are made to attend, if able to do so, in order that inquiries may be made of the applicants themselves. We desire to produce to the Commissioners the books containing the written reports upon these cases for the last ten years. It is impossible, we believe, for greater care to be taken in the administration of the trusts reposed in the Company for the benefit of their poor. The amount of good done, and of real suffering and undeserved want which is relieved by these charities, is very great; and as a proof that they are administered with care and discrimination, and so as not to weaken the spirit of self-dependence, we may mention that the number of members of the Company of this class who apply for assistance has been for some time gradually diminishing.

SKINNERS' COMPANY.

MEMORIAL.

Skinners' Hall,
30*th April*, 1883.

To the Secretary to the City of London Livery Companies' Commission.

"Sir,—In reply to your letter of the 10th of November last, in which the Commissioners inquire what is the intention of the Skinners' Company with regard to the evidence and statements orally given to the Commissioners, and affecting the Companies, it seems to the Skinners' Company that the return made in 1881 in answer to the Commissioners' queries was rendered so fully that it is not necessary to trouble the Commissioners to hear witnesses on their behalf; but they desire to submit the following observations, which, being mainly directed to controvert statements made by various persons taking an unfavourable view of the constitution, administration, and proprietary rights of the Company, will, the Company trust, receive at the hands of the Commissioners attention and publicity at least equal to what has been accorded to such statements.

The only evidence which appears to affect the Skinners' Company with reference to the trusts committed to their care is contained in the appendix to Mr. Lucraft's evidence on the 13th day, viz., the 19th of July, 1882, in reference to the gift of Margaret Audley.

Mr. Lucraft states that the sum of 700*l.* was given to be spent in land, and the income to be applied to charitable purposes. This is not correct. The Company were at liberty to expend the sum of 700*l.* in land or otherwise as they might choose, no reference being made in the bequest to the application of the income, whether for charitable purposes or otherwise; but it was made a condition of the acceptance of the gift that the sum of 35*l.* was to be paid annually to the parish of Hackney. The Company at first declined the gift, but accepted it on being pressed by the parish of Hackney to do so, and the payment has been annually made by the Company to the parish ever since, as stated in their return —Part I.—Letter I., Charities.

But the attention of the Company has been especially called to the print of evidence given before the Commissioners on the 12th of July last, generally with regard to the nature of the title by which the Livery Companies of London became owners of estates in the county of Londonderry, Ireland, in the 17th century, and particularly with respect to the management by the Skinners' Company of the Pellipar estate in that county, and their recent negotiations with the tenantry there.

The important question of ownership, by this and other Livery Companies, of estates in Londonderry has been separately dealt with in the accompanying short historical account of the mode in which those estates were acquired. It entirely disposes of the assertions (1) that the Companies are not private owners, but trustees of the estates for public purposes; and (2) that what has been called the purchase money was raised by a tax on the citizens of London.

The recent negotiations with the tenantry are referred to in the

minutes of evidence of the 12th of July last, questions Nos. 1897 to 1905, and the answers given by Dr. Todd, a solicitor of Londonderry. Skinners' Company.

That witness professed to describe from personal knowledge the mode in which negotiations were carried on between the Company and the tenants, with a view to fixing a fair rent, instead of having recourse to the Land Court. His statements are not true, and, if allowed to pass unchallenged, they will probably be commented upon hereafter by speakers and writers to the Company's prejudice.

It may possibly be not out of place to revert to the question of rent as settled between the Skinners' Company and the tenants some few years ago, in order to lead up to an adequate description of these negotiations with which Dr Todd finds so much fault, and for which the Company do not hesitate to claim some credit, both as to the principle underlying such negotiations and the method of carrying them into effect. Without going back to the time when the Pellipar estate, like many others in Ireland, was let on lease and managed by the resident lessee, the Company wish to state that the lease to Mr. Ogilby expired in 1872, and the Company then took steps to manage the estate for themselves. As nearly thirty years had elapsed since the estate was valued, and as no alteration of rent has been made for a much longer period, notwithstanding the rise in all agricultural produce in Ireland, it seemed reasonable, and in accordance with the custom of the country, that a re-valuation should be made. The estate was re-valued, and the Company felt satisfied that the then existing rental might be fairly raised; and having found that great difficulty would arise in settling with the tenants individually, the total number being upwards of a thousand, and because the tenants had always been dealt with as a whole, it was resolved to divide the holdings into three classes, and fix a uniform but classified rate of increase for each class, notifying the increase of rent to each tenant personally by written notice, as being necessary in law, and in order that any tenant who chose might have an opportunity to state any circumstances which should be a reason for not agreeing to the alteration.

Such increase did not take effect until the year 1877. The rental of the estate was then raised from 11,600*l.* to 13,000*l.*, the Government valuation being 13,200*l.* The only special objection made to the increase was by the lessees of a large grazing farm, who eventually brought a claim against the Company, but failed; the farm was shortly afterwards let to another tenant, who came forward, unsolicited, and offered the rent which the previous tenants had declined to pay.

It is well known that the seasons following 1877 were more or less bad, and accompanying these bad seasons the agitation commenced, which eventually affected those parts of Ireland which had been hitherto settled and orderly. It was then that large arrears of rent began to accrue; and the Company allowed abatements of rent in the years 1879 and 1880, as was stated before the Commissioners when Dr. Todd was examined.

In the autumn of the year 1881, after the Land Law (Ireland) Act had been passed, but before any applications to the Land Court under the Act had been heard, several memorials from tenants on the Pellipar estate were forwarded to the Company, praying for large reductions of rent. The Company saw that, under the Act, if they and the tenants individually could arrive at a fair valuation, it might be possible to have all over the estate a rental fixed upon a basis and by a mode having the authority and sanction of a legally constituted court of arbitration.

Accordingly they issued a circular letter to the tenants, suggesting to those who proposed to apply to the Land Court, that, before doing so, they should furnish the Company, through their agent, with the grounds upon which they individually proposed to show that their rent should be

Skinners' Company.

altered. The Company felt that there would be very many tenants who would at once see that if they were ultimately obliged to resort to the Land Court their cases would be considered separately there, and that it ought not to prejudice their claims in Court if they made separate applications to their landlords first. The result was that some hundreds of the tenants did individually write letters to the Company, stating reasons in favour of a reduction of rent; and the Company took steps to ascertain the value of each holding, with the view to entering into an agreement with the tenant as provided by the Act. They felt that this course might preserve a good feeling between landlords and tenants, might save expenses, and relieve the block in the Commissioners' Court, which, even in the autumn of 1881, threatened to arise, and so assist in giving effect to the intentions of the Legislature. Simultaneously with the issue of this circular letter, some fifty or sixty notices from tenants on one part of the estate were served upon the Company for their cases to be heard in court. This was mainly done at the solicitation of Dr. Todd, who took upon himself to attempt to dissuade the tenants from settling their rents amicably with the Company.

Early in 1882 the Company determined to send over to Ireland a senior member of their governing body and the clerk of the Company, to ascertain, by personal interviews with the tenants who had written letters, whether they would enter into agreements for a judicial rent for fifteen years under the Act, without having recourse to legal proceedings.

These gentlemen, having gone over to Dungiven in March, 1882, intimated by messages to such tenants that they would be glad to receive them at the agent's office on certain days. The tenants attended as requested, almost without exception, and were received in a small room in the office at which they were in the habit of attending, and with as little ceremony as possible. The only persons present who were strangers to them were the two gentlemen from London. The resident agent and the surveyor, who have been more than fifty years on the estate, and against whom no tenant has ever made complaint, were present; and Mr. B. H. Lane, a solicitor well known in the district, who resides at Limavady, and acts as the Company's legal adviser in regard to the estate, was also there on most days. In no case was there any semblance of complaint by a tenant or his neighbours that undue pressure had been put upon him to agree to a rent. The visit was an experiment to carry out the clear intention of the Act of 1881.

On this occasion about 140 tenants were seen, and agreements made with fifty-three; but subsequently in August, that is, some weeks after Dr. Todd's evidence had been given in London, and before it had been brought to the knowledge of the Company, the same two gentlemen went again to Ireland to continue the work commenced in March. On this occasion they saw upwards of 200 tenants, and effected agreements with about 125.

It is not true, as stated by Dr. Todd, that the tenant was "not allowed "to have solicitor, counsel, friend, neighbour, or anybody with him" during these negotiations. It is not true that pressure was put upon any tenant to settle. The conversation was, almost without exception, carried on between the tenant and one person representing the Company.

In answer to Questions 1903 to 1905, Dr. Todd misrepresents what took place. As a matter of fact, when a tenant expressed his willingness to agree to the proposed rent, he retired from the room where the conversation had taken place into an outer office full of other tenants waiting for admission, and signed the statutory form (as required by the Act) in the presence of a poor-law guardian or minister, sometimes in the office, sometimes in the witness's house.

The foregoing is a fair description of the negotiations. Dr. Todd knew nothing personally of what took place. In making the proposal and in carrying it out, the Company have neither sought to dissuade any tenant from litigation who has served any notice under the Act (but several tenants who had served notices have come in voluntarily and entered into agreements); nor, on the other hand, have they put any pressure upon tenants to agree to the terms which have been suggested after careful consideration of the provisions of the Act. The Company trust that before many months have elapsed the rents of all the agricultural holdings on the estate will be fixed by the mode which has been described, unless tenants are solicited to enter the Land Court in large numbers. There are nearly 1000 agricultural tenants on the estate. Voluntary agreements are being made as opportunity arises for the agent to confer with the tenants. At the present time about 310 tenants have entered into agreements, and the rents of some sixty others have been recently fixed by the Land Court. Skinners' Company.

In Part 4, Return A., already submitted by the Company to the Commissioners, under the head of "Explanatory Notes and Remarks," a general statement is made as to what has been expended by the Company for the tenants upon the estate; and it was therefore a matter of some surprise to the Company to find that Dr. Todd said, in answer to Question 1894, that the Company had spent in no "single instance a "single sixpence in agricultural improvements, or given the slightest "benefit to their tenantry." They would here repeat that they support and repair, as they believe liberally, all the schools on the estate recognized by the National Board of Education. They have erected and repaired school buildings, and make annual grants towards the salaries of the teachers. They devote, as occasion requires, the money received from the sale of the advowsons on the estate under the Irish Church Act, 1869, towards the purchase of glebes and repairing and maintaining churches, and towards erecting chapels and ministers' houses. They make annual grants to the clergy and ministers of the different religious denominations, and to the medical officers of dispensaries. They subscribe to various charities and societies, and make weekly or other allowances to poor persons connected with the estate who have been left desolate or have become infirm. They construct foot-bridges and main drains. They also contribute frequently towards the repairs of river banks and the making of turf roads, on the basis of contributing half the estimated cost of any such work, the tenants lending horses and doing a portion of the labour under the direction of the surveyor of the estate.

In no case within the Company's knowledge has any tenant left the estate to become an agricultural occupier elsewhere in Ireland. In many cases during the last few years strangers have come from other places to be tenants on the Pellipar estate.

In the return already sent in reference was made to the support given by the Company to recent railway projects. The Company agreed to support these two undertakings (by guaranteeing five per cent. interest upon sums of 20,000*l.* in one case, and 5000*l.* in the other), shortly after they had resolved to raise the rental as already stated, believing that such works would open up those districts which are at present under a disadvantage for carrying farm produce to market, and that in many ways they would tend to the prosperity of the inhabitants, without bringing any pecuniary advantage to the Company.

Before quitting this subject it may be added with reference to the statement made by Sir Thomas McClure, M.P., on the 12th of July (on which occasion he assumed that the tenure by the Companies of their estates in Londondrry was impressed with a trust, and gave it as his

Skinners' Company.

opinion that the Companies would best fulfil their alleged trusts by selling to their tenants), that when he himself applied to the Skinners' Company to sell their estate to him, the Company received memorials from the tenants then, as well as on other occasions, asking them not to sell. Indeed, there is abundant evidence that the tenants have advantages under the Companies as landlords which a private owner, buying in order to secure a profit-rent, would not allow to his tenants; and this fact should be especially borne in mind when so many hostile statements, frequently untrue, are being made with respect to the management of the estates, while no allusion whatever is made to the Companies' many acts of generosity to the very men who are induced to turn against them.

The petition of March, 1881, to Mr. Gladstone, abounding in misstatements (and which the Company would forbear to notice, were it not placed upon the proceedings of the Commission on the introduction of Sir Thomas McClure), is signed by one of the Company's tenants without authority to write on their behalf, and is an unfortunate example of the manner in which it is attempted to misrepresent the facts.

In conclusion, with respect to the contention which some of the witnesses who have appeared before the Commission desire to raise with regard to the position of the Companies as owners of property, viz., that they were created by the Crown for trade purposes, that they held and still hold their corporate property on trust for trade purposes, and that when they ceased to be composed of trade members, and to exercise trade functions, they ceased to be entitled to hold property or to exist, I am desired to state that the Skinners' Company consider that they have already sufficiently met this contention, so far as it affects them, in advance, by the concise history forwarded with their Return to the Commissioners' queries, which was compiled with much care from charters, grants, certified copies of public records, wills, deeds of bequest, and books of the Company, extending over a period of several centuries, and which there has been no attempt to controvert. I am directed, however, to point out to the Commissioners shortly that, as appears from that history, the Skinners' Company was an existing body, owning large property and exercising important functions, before the grant of any Royal Charter whatever; that the earliest charter of the Company, that of Edward III., recognized those facts, and simply regulated its position in the commercial polity of that day; that no evidence can be produced which goes to show that at any time the whole or even a majority of the members of the Company were trade members, but that all the evidence proves the contrary; that attempts actually made by "artesan skinners" to establish a connection between the Company and the trade always failed; and that, notwithstanding that the Company has from the very first dealt with its corporate property as its own, absolutely and for all purposes, and the Courts were open to any complainant, the Company has never been adjudged to hold that property for trade purposes or subject to any trust whatever, nor has the Company's control of that property ever been in any manner limited.

While of opinion that the allegations, general and special, which affect them, have been fully met (such allegations appearing to consist mainly of incorrect inferences from incomplete and inaccurate information), the Skinners' Company will be happy to still further elucidate any point upon which the Commissioners may desire additional information.

I have, &c.,

E. Herbert Draper, *Clerk.*

A Short Historical Account of the Connection of the Livery Companies of London with the County of Londonderry, Ireland, having special reference to the Title of the Skinners' Company to the Manor of Pellipar, in the same County.

One of the witnesses who gave evidence before the City of London Livery Companies' Commission in July, 1882, professes to show, in paragraphs 1 and 2 of a printed statement handed in by him, the object of the scheme devised on the confiscation of the estates of the Ulster Earls; and after quoting a State Paper issued by the Crown in 1608, intituled "A Collection of such Orders and Conditions as are to be "observed by the Undertakers upon the distribution and plantation of "the escheated Lands in Ulster," asserts that, "these Orders and Con-"ditions, popularly known as the 'Articles of Plantation,' together with "the various other public declarations of the King and Privy Council "on the subject of the Plantation, are the bases and limits of the Title "by which the Companies hold their Irish Estates."

This assertion is entirely incorrect, the fact being that these Articles were issued by the king in reference to the general scheme of planting the whole of the six northern counties, Armagh, Tyrone, Coleraine, Donegal, Fermanagh, and Cavan, and state that "It was thought con-"venient to declare to all his Majesty's subjects the several quantities "of the proportions which should be distributed, the several sorts of "Undertakers, manner of allotments, the estates, the rents, the tenures, "with other articles to be observed, as well on his Majesty's behalf, as "on the behalf of the Undertakers." They were issued before any proposition was made to the City of London, and were not addressed to the City or Companies by name, nor were they in any way applicable to incorporated bodies or to the work of plantation afterwards undertaken by the City on behalf of the Companies.

The Crown subsequently proposed to the City to undertake the plantation of the county of Derry, and directed to the City a State Paper, intituled, "Motives and Reasons to induce the City to undertake "the Plantation in the North of Ireland."

This paper did not in any way allude to the before-mentioned Articles of Plantation; but, after stating many matters, as to the products of the country and the mercantile advantages to be gained by the undertaking, and suggesting how easily the towns of Derry and Coleraine might be made almost impregnable, and proposing the allotment of certain quantities of lands for commons to those towns, it suggested "That the whole "of the territory and county betwixt them, above twenty miles in "length, might be planted with such Undertakers as the City of London "should think good for their best profit."

The proposal was at first rejected, but upon the reconsideration of it being pressed by the Crown it was again communicated to the Companies with a request to them "to assemble together a competent number of the "gravest and most substantial men of their several Companies to consider "advisedly of the said project, every Company to nominate four men "apiece of their several Companies, of best experience, to consider and "set down such reasons, orders, demands, and other circumstances in "writing as is fit to be remembered, required, or performed in the under-"taking of so worthy and honourable an action."

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The Companies having accordingly reconsidered the proposal, do not, however, appear to have entertained it favourably; but after further correspondence and interviews with the Privy Council a Committee representing the Companies went to view the place of the proposed Plantation. On their return the Committee presented their report, referring (*inter alia*) to "a request by them made to the Right Honourable Sir Arthur "Chichester, Knight, Lord Deputy of Ireland, to be resolved of certain "doubts for the good of the City if they shall proceed in the intended "Plantation, with his Lordship's answer under his hand to the same."

A further Committee was appointed to consider all circumstances and matters concerning the proposed Plantation, and they reported they had propounded to themselves four general heads under which they had "handled every particular in its proper place [namely],

"1st. What sums of money should be expended.

"2ndly. What land and privileges should be demanded.

"3rdly. What things should be performed.

"4thly. How all should be managed and ruled."

Several further interviews took place between the representatives of the Companies and the Privy Council; and, the terms of the former being acceded to, a formal Agreement was, on the 28th of January, 1609, entered into between the Crown and such representatives, by which the Companies undertook the proposed Plantation.

This Agreement does not make the slightest allusion to the beforementioned Articles of Plantation, or motives and reasons, or mention or suggest any trust for any person whatever. On the contrary (after providing for the sites of the towns of Derry and Coleraine and the lands to be laid thereto, and making provision as to woods, churches, and glebes), the whole tenor of it is to secure everything agreed on to the Undertakers in perpetuity for their sole profit. And, to give the greater effect to this, it provides that "they should have seven years to make "such other reasonable demands as time should show to be needful, but "could not presently be foreseen."

Between the date of this Agreement and the Charter of 1613, King James the First requested that several small matters stipulated for by the Undertakers might be relinquished to the Crown, and the request was conceded; but, except in the matter of these small concessions, the Agreement remained in full force up to the time of the Charter being granted, and such Agreement formed the sole contract between the Crown and the Companies.

The Agreement having been perfected was read at a Common Council held at the Guildhall on the 30th of January, 1609, and it was thereupon ordered "That for the better ordering, directing, and effecting of "all things touching and concerning the said Plantation, and business "thereunto belonging, there should be a Company constituted and "established within the City of London, which Company should consist "of one governor, one deputy to the governor, and four-and-twenty "assistants, and that the governor and five of the said assistants should "be aldermen of the City of London, and Mr. Recorder of the City "should likewise be one of the same assistants, and the deputy and the "rest of the assistants should be commoners of the same City."

This Company (better known as the "Irish Society") carried on the business of the Plantation, receiving from time to time from the several Companies advances of money for the purpose, until some time in the year 1610, when it was proposed that the lands should be divided amongst the Companies; but the proposition remained in abeyance until December, 1613, when it was resolved to carry it into effect. To accom-

plish this it was agreed that all the moneys expended should be divided into twelve portions; that each of the twelve principal Companies should represent one portion, having associated with it so many of the inferior Companies as, according to the sums disbursed by each, would make up one twelfth portion; and that a survey of the lands and hereditaments of the Plantation should be made, and a division thereof effected into twelve like portions, as nearly as circumstances would permit.

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Commissioners were sent to survey the Plantation accordingly, and after the lands and premises had been surveyed, a division of the greatest part thereof was made into twelve lots, numbered from One to Twelve. These lots were drawn for by the twelve principal Companies. Lot number Twelve was drawn by the Skinners' Company as chief, having associated with it the Stationers', Whitebakers', and Girdlers' Companies, the sums disbursed by such four Companies making up a full proportion of one-twelfth of the total moneys expended.

The Skinners' Company took possession of this twelfth portion (being as is hereinafter mentioned that now known as the Manor of Pellipar), but no formal grant or conveyance was made of it to the Company until after the Charter of King James had been granted.

The residue of the lands and hereditaments, being principally the towns of Derry and Coleraine and the ferries and fisheries, were considered incapable of division, and remained vested in the Irish Society for the benefit of all the subscribing Companies.

On the 29th of March, 1613, King James the First, by Charter, created the city of Derry and the lands and hereditaments thereby granted, into a county by itself, to be called the county of Londonderry; and for ordering and governing the said county, constituted "The Society "of The Governor and Assistants, London, of The New Plantation in "Ulster, within the realm of Ireland," and ordained that the Society should at all times be able, and in law capable, to receive and possess lands and hereditaments, and to grant lands and hereditaments by the same name. The Charter then granted the lands and territories by their special description to the Society, "to hold and enjoy the same, with all "profits, &c., to the aforesaid Society and their successors, to the only "proper use and behoof of the said Society and their successors for ever."

The Society so constituted by the Charter was the same body as was created by the City under the name of a Company, and is generally known as the Irish Society, as already mentioned.

To enable the before-mentioned resolution for a division of the lands and hereditaments amongst the Companies to be carried into effect, the king, by letters patent, dated the 30th of September, 1615, granted the Irish Society and the Companies a licence to hold the lands in mortmain, "to the end that the Companies might be encouraged to proceed and "finish the Plantation, and in future tymes reape some gain and "benefit of their great travailles and expenses taken and bestowed "therein."

On the 11th of July, 1616, the Irish Society, by deed, created a manor of all the lands, tenements, and hereditaments now held by the Skinners' Company, by the name of the Manor of Pellipar; and by deed dated the 22nd of March, 1617, the Society granted the said Manor of Pellipar, and all profits arising out of it, to the Skinners' Company, to hold "to "the only use and behoof of the said maister, wardens, and comunaltie "of the misterie of the Skinners of London, their succcssors and assigns "for ever," and the grant contains a covenant on the part of the Society for quiet enjoyment by the Skinners' Company of the manor, lands, and hereditaments, and receipt of the rents thereof to the Company's own use and uses for ever.

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During the troublous times in the reign of King Charles the First, certain proceedings were taken in the Court of Star Chamber for repealing the above Charter or Letters Patent, but it becomes unimportant to relate these in any detail, for two reasons,—first, that by a vote of the House of Commons of October, 1641, it was resolved that the sentence in the Star Chamber was unlawful and unjust; and, second, that King Charles the Second, by Charter dated the 10th of April, 1662 (after a recital that King Charles the First had given his directions for the restoration to the Irish Society and the Companies of their lands, &c., originally granted by the Charter or Letters Patent of 1613, but that his royal intention had not taken effect in consequence of the wars and troubles in Ireland), re-granted to the Irish Society the lands and hereditaments formerly granted by the Charter of 1613.

The Irish Society, following the same course as had been pursued after the Charter of 1613, again executed a conveyance of the Manor of Pellipar to the Skinners' Company, dated the 5th of June, 1663.

The above Charters, Letters Patent, and conveyances, constitute the basis of the Company's title to their Irish estates, and in no one of them is there any allusion or reference whatever to "The Articles of Plantations" or the "motives and reasons" referred to by the witnesses from Ireland who gave evidence before the Commissioners in July, 1882.

In the answer to questions numbered from 1824 to 1955 continuously, reference is made to the "Provisions of the Charter," and it is asserted that the Companies' Irish estates are trust estates, and that the moneys expended upon the Plantation were raised by a tax upon the citizens.

With regard to the assertion that the estates are trust estates, the Skinners' Company state with confidence that there is nothing whatever in any of the documents under which the Companies derive their title which could be construed as, either directly or indirectly, creating any trust. Moreover, the documentary evidence already referred to shows that in return for the moneys expended by them, the profits were intended to be derived by the Companies only. It may also be observed that there is no instance known to the Company of the estate of any individual undertaker who took, subject to the articles, being held to be subject to any trust.

With regard to the assertion that the moneys expended on the Plantation were raised by a tax on the citizens, even if it were true, such fact would not in any way create a trust for the tenants on the estate, or militate against the Company's claim to be absolute owners of the estate. The City, however, in a petition presented to the House of Commons in 1641, stated (as is the fact) "that they, the City of London, never "undertook the said Plantation, or, as to the use of the City, disbursed "any money thereabouts, but that their name was only used for the "better transaction of that business, and only as a means to forward the "Plantation, and raise moneys by and from the several Companies, which "otherwise could never have been effected."

The money so raised and contributed by the Skinners' Company was temporarily levied from the members of the Company in accordance with a recognized custom, and the books and records of the Company show repayment to members of the several sums advanced by them.

In conclusion, it may be mentioned that several Companies have, at different times, sold their Irish estates, and have (as is well known) been advised by eminent counsel that they were able to give a good title for the purpose. In like manner the Stationers' and Whitebakers'

Companies have, within the last few years (as already stated in the Company's Return to the Commissioners), sold their interests in the Pellipar estate to the Skinners' Company, who gave a large consideration for the same, relying upon the fact that such Companies were entitled, for their own use, to a share of the rents and profits of the estate in proportion to their quota of the contributions made by the four Companies at the time of the division in the year 1610.

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Skinners' Hall, London,
April, 1883.

MERCHANT TAYLORS' COMPANY.

MEMORANDUM.

The Royal Commissioners to inquire into the condition of Livery Companies having sent to the Merchant Taylors' Company, for their perusal, the evidence taken on the first eight days of their inquiry, the Company deem it to be their duty, no less than their right, to point out *substantial* mi-statements of fact, and erroneous conclusions drawn from them, which two of the witnesses have laid before the Commissioners.

The charges against the Company have not been stated with an explicitness such as might reasonably have been expected in so serious an inquiry, but they are to be found rather in a multitude of insinuations spread over some twenty pages, which, however, so far as they are capable of taking any form, seem to take the following :—

1. That the Merchant Taylors' Company have appropriated moneys of which they were trustees ;
2. That they have also misconducted themselves in their capacities of landlords,
3. And as governors of their school ; and this conduct is rendered all the more heinous, as in so acting they are doing violence to the rights of the London poor.

Each of these charges will be met and answered in turn. It may, however, be convenient here to dispose of the question whether the poor have any, and what, special claim on the funds of the Merchant Taylors' Company.

It is obvious that the purpose of some of the witnesses is to represent the Livery Companies as corporations created by the poor, and for the special benefit of the poor ; as being the recipients of wealth accumulated from yearly contributions levied upon the poor freeman in former centuries. This representation, the Merchant Taylors' Company have here to submit, has *no* historical foundation. These guilds in their initiation were promoted, and during their continuance have been fostered, by the middle as distinct from either of the other two classes ; individual members may have ascended from a lower to a higher class in society, but the guilds themselves have continued to be, as they now are, middle-class institutions.

Merchant Taylors' Company.

The only way in which the poor can now in any sense be said to be connected with this Company is as recipients of their bounty, and as enjoying the funds which have been accumulated heretofore by the middle as distinct from the poorer classes.

Their relations with the Company may be either those of beneficiaries of a trust created for them by men of the middle class, in which capacity they may be honestly said to have received the whole, if not more than the whole, of what is due to them; or they may be considered as the recipients of a bounty which the Company, in recognition of the duties of the rich towards the poor, have voluntarily and spontaneously made to them, but in neither case can these voluntary benefactions be allowed to ripen into a legal claim upon the funds of the Company.

As has been before stated, the allegation that the Company must be considered as the heirs of the accumulated contributions of the poor in former times has really no historic foundation. That the Company used, under the name of "quarterage," to levy contributions upon the whole of their members, including the freeman, who were generally of the poorer class, is perfectly true, as will be seen from the 13th Ordinance; but it is also equally certain, that so long as any portion of these contributions were so raised from the poor, the whole, and not only the proportionate part which had been derived from the freemen, was expended upon the poor; and so far from the Company being in possession of any accumulations derived from such a source, they are annually out of pocket by the transaction, as, while the wholesome custom of contribution has been discontinued, the Company's disbursements under this head continue.

Clode's Memorials of the Merchant Taylors' Company, p. 214.

Wealth, in the hands of a man or of a guild, may be coveted under the beneficent plea of using it for the alleviation of poorer men's burdens, but the security for property would be lost if poverty was a justifying plea for confiscation.

I.—To revert, then, to the first of the special charges against the Merchant Taylors' Company, viz. that they have appropriated moneys of which they were trustees.

As the answer to this charge involves principally the correction of certain misstatements of Mr. Beal, this may be perhaps the best place for the Company to explain how it is that they come to attach so much weight to Mr. Beal's utterances as to deem it necessary to devote no small portion of this paper to answering them.

In the first place, Mr. Beal speaks in a certain sense *ex cathedrâ;* he is, in the opinion of one at least of the Royal Commissioners,[1] the leading author upon municipal matters, and, from his unique collection of literature upon the subject, he is not only justly thought to be in possession of the means of acquiring accurate information, but also, when he gives it, it is usually received as such: he lectures also to the working classes upon this subject; and as the audiences are crowded,[2] and are reported to be so unanimous as to "assent universally to the ideas there

[1] Mr. Firth thus speaks of him at page v. of his preface to his work, "Municipal London:"—"The author has to express his deep obligation to Mr. James Beal, "who may be justly regarded as the father of municipal reform. It is to his energy "and patriotism that the present advanced condition of the question is mainly due; "and if ever from existing chaos there should come forth a London Municipal Govern- "ment worthy of that name, it is to him that the thanks of the citizens should be "given."

[2] "509. I have lectured at all the working-class clubs throughout the metropolis "for years past, and in every case they universally assent to the ideas there "expressed."

"513. The Eleusis Club is 1000 strong."

"514. The Hammersmith Club has 460 members, that is the smallest, I think."

"expressed," it is a satisfaction to feel that in stopping error here, it is stopped at the fountain-head. Merchant Taylors' Company.

In the second place, the Commissioners themselves appear to have accepted, to some extent, his assistance, if not guidance, by giving him peculiar facilities for prosecuting his inquiries into the affairs of the City Companies with a view to framing his indictment against them; and the man intrusted with such a task should be proved, not only to be honest, which, in Mr. Beal's case, needs no demonstration, but accurate, which Mr. Beal certainly is not.

Upon what evidence, it is asked, does this first charge rest? Apparently upon the misdoings of the Merchant Taylors' Company in regard to Donkyn's Charity.

It is proposed to give, first, Mr. Beal's version of this affair, and then the true one, remembering always that even for an erroneous misstatement in such a matter there can be little excuse, as the whole history of this case is public property, and not only public property, but this very case of Donkyn's Charity has been singled out[1] by Mr. Beal himself for especial study, as a leading one upon the whole question of charitable trusts.

So far as any connected account can be garnered from Mr. Beal's somewhat incoherent statements, it would seem that a more than usually vigilant Attorney-General[2] haled the recalcitrant Company to the judgment-seat, and did not relax his grasp until the Company had disgorged the whole of their ill-gotten gains. Since that day Mr. Beal inclines to think that the race of Attorney-Generals has declined, and that it will be a long time before we have another of equal pugnacity.

The true facts are as follows:—

Robert Donkyn, by his will, dated 1570, gave to the master and wardens of the Merchant Taylors' Company, in fee, certain lands and tenements, with their appurtenances, to the intent as to the rents and profits thereof, to make certain specific payments thereout; and he directed the whole of the residue of the rents to be gathered into the Company's stock, to repair and, if need be, rebuild the said tenements at their discretion.

The year after Donkyn's death, after providing for all the specific payments, there remained a residue of 9*l.* 13*s.* in the hands of the Company, which was carried to the Company's corporate account, and, until 1862, this was regularly done; at the same time it should be said that all the expenses of repairings or rebuildings were discharged out of the same fund.[3]

Now, in the first place, it should be noticed, in passing, that at the time when the residue was carried to the corporate account, viz. in the year 1571-2, it is more than probable that the Company were absolutely right in so disposing of it, for the question of what should be done with residues in such cases seems to have been decided for the first time in 1610.[4]

In the second place, it should be noticed that, even supposing they

[1] "915. I have read Donkyn's and the Wax Chandlers," &c.

[2] "657. Look at the case of Donkyn: the public were represented, and the Attorney-"General made a great fight."

"911. *Q.* Who is to begin all this [*i.e.* litigation to stop the misappropria-"tion of trust moneys] ?—*A.* The Attorney-General began Donkyn's case and "won it."

"741. *Q.* Surely, if it is public property, the Chancery Division of the High Court "of Justice would enforce its being applied to public purposes ?—*A.* Take the case "of Donkyn's Charity as an example; but where will you get an Attorney-General to "fight a battle again like that ?"

[3] The annual residue for 1880-1 was 181*l.* 2*s.* 2*d.*

[4] Thetford School Case, 8th Report, 130[b].

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were wrong, it was in the power of the Crown, under the Statute of Elizabeth (43 Eliz. c. 4.), to call them to account, and to have a full inspection of all their deeds for that purpose; and the fact that the Crown, at a time when it kept a viligant eye upon the doings of the City Companies, never thought it worth while to interfere with them, is some, if not conclusive, evidence that their disposition of it was right.

Coming to later times, we shall find that, so far from the Company's keeping back or concealing anything in this matter from Commissioners or others appointed to inquire into their disposition of this income, they have always been ready and willing to make such a disposition of it as the law or its officers should deem right, and (even incredible though it may seem to Mr. Beal) have themselves instituted those proceedings against an unwilling and recalcitrant Attorney-General which Mr. Beal supposes the vigilant Attorney-General to have instituted against them.

This is literally true. The Merchant Taylors' Company were plaintiffs, not defendants, in the case of Donkyn's Charity.

How this came about the following short history of the facts will show :—

The Royal Commissioners may be reminded that from 1828, in which year the Commissioners of Inquiry, acting under 58 Geo. III. c. 91, printed their report relating to the Merchant Taylors' Company's charities, Donkyn's will, and the dealings of the Company with the property devised under it, have been absolutely public property; and that if, after such a full disclosure, no action was taken against the Company, it can only be accounted for by the supineness of the Attorney-General, according to Mr. Beal's theory, or, what is perhaps more probable, by the fact that the point as to the disposal of the residue was not so clear as to warrant any proceedings against them.

The year 1853 saw the appointment of the present Charity Commissioners; and it is, perhaps, not unreasonable to imagine that if any flagrant act of misappropriation was taking place, they were the persons, armed as they were with the very fullest powers of search and discovery, and having the reports of the Commissioners of Inquiry before them, to correct the error and place matters upon their right footing. It certainly never occurred to the Company, who saw what was going on elsewhere, to account for the Charity Commissioners' inaction by assuming that they, in company with the Attorney-General, were suffering from an inordinate lethargy; they thought, perhaps unreasonably, but still perfectly honestly, that no reform was made in their administration of the charity because none was needed, and they still went on carrying the residue, whatever it was, to their corporate funds.

At last, in 1862, the present Charity Commissioners issued their order for Mr. Hare, their inspector, to examine into all the charities held by the City guilds; and, in performance of this duty, Mr. Hare, in or prior to January, 1863, came to the Company's hall; he saw the will in question, and in the year 1864, in his report to his Board, writes as follows: "The construction always adopted by the Company, and which "seems to have been acquiesced in by the Commissioners of Inquiry, is "that the residue, after keeping the estate in repair, is given to the Com-"pany for their own use;" and he then adds, that "it may be a ques-"tion for the consideration of the Board whether the actual construction "of this gift should be determined by any legal proceedings, and whether "the Company should be required to render the account of the estate as "of an endowment wholly charitable."

But the Court of the Merchant Taylors' Company, desirous of doing what was right, did not wait for this report, as, in fact, they never knew of its existence until Mr. Hare referred to it in his evidence before the

Royal Commissioners. The doubts contained in that report Mr. Hare mentioned verbally to the Company's officers as early at least as 1863; whereupon the Court, on the 28th of January of the same year, ordered the residue to be held intact for the charity as from the 25th of December, 1862, and empowered their clerk to consult Sir R. Palmer as to the proper construction to be put upon Donkyn's will. Merchant Taylors' Company

The opinion of Sir R. Palmer was given in the ensuing March, and was to the following effect: "That, subject to the provision for the twelve "poor men and twelve poor women (the donees of the specific payment "mentioned above), the Company are to be considered as trustees of the "property, and, as such trustees, bound to render to the Charity "Commissioners an account of the rents and profits arising therefrom."

The Merchant Taylors' Company lost no time in acting upon the opinion here expressed, and, as early as April of the following year, had submitted to the Charity Commissioners, for their sanction, a scheme disposing of the whole of the residue to charitable purposes. This scheme, however, the Charity Commissioners did not feel able to accept, on the ground that it proposed to devote the residue in question to persons of a higher class than the original recipients of the charity; and, in January, 1865, they referred it back to the Company for reconsideration.

It would not be unreasonable to imagine that, upon the refusal of this kind, made at a time when the Company were under no legal obligation to defer to the opinion of the Charity Commissioners, the Company would consider that their duties were at an end, and that it remained for the Commissioners to take the initiative in any further proceedings; but so far from this being the case, the Company cheerfully accepted the decision of the Commissioners, and applied themselves to the task of seeing how best they might meet their wishes.

With that object in view, a conference was held with the Charity Commissioners, in which it was suggested and conditionally agreed that a convalescent home should be established by the Merchant Taylors' Company, to be ultimately supported out of two funds—those of Donkyn (which are the subject of the present memorandum) and of the prison fund (the history of which fund is with the Royal Commissioners)—so soon as the equitable rights affecting the same should be decided. The history of this Fund, Memorials, p. 336.

At the close of the year 1869, the Corporation of London notified their intention of obtaining parliamentary sanction for the use of the prison fund to establish a reformatory for boys, which led the Merchant Taylors', with other Companies, into a parliamentary contest, in the session of 1870, to protect these funds from the Corporation representing the ratepayers of London.

However, not daunted by these difficulties, the Company, in January, 1869, appointed a special committee to consider and select a site for a convalescent home. This committee consulted Dr. Gull, Mr. John Birkett, and other medical authorities as to its position as inland or seaside; and then, carefully considering nine different sites offered to them, ultimately selected Fitzleet House, Bognor, where the home is now established.

This estate was purchased and taken possession of by the Company early in the year 1870. The house was immediately converted into a home, with thirty-six beds, now increased to fifty, and opened as such on the 5th of July, 1870, for poor patients from any of the London hospitals.

As the Merchant Taylors' Company had then pledged themselves to carry on a convalescent home, how, it may be asked, was it that they subsequently appealed to the Court of Chancery for the proper construction of Donkyn's will? The answer almost suggests itself when it is

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noticed that the Wax Chandlers' case, which was decided in August, 1869, wholly altered the law, and gave, as it was thought, all residues devised in similar terms to the trust devisees. Obviously such a question could not be left in doubt, and, under these circumstances, the Company placed the papers again before Sir R. Palmer and Mr. M. Cookson, who, in April, 1870, wrote as follows :—

"We are of opinion that this case, though in some repects more favourable to the contention of the Attorney-General, is not substantially distinguishable from the Wax Chandlers' case; and that accordingly the Merchant Taylors' Company must, while that case remains law, be treated as entitled to the property devised to them by Mr. Donkyn's will, or its present representatives, for their own benefit, subject only to such deductions as are specifically mentioned in the will.

"In coming to this conclusion, we have taken into account the order of the Charity Commissioners of the 25th of February, 1870 (to which our attention was called in consultation), and which treats the accumulations lately invested in the purchase of the house at Bognor as trust property. Having regard to the terms of that order and the facts stated in the case, that since Christmas, 1862, accounts of the receipts and payments in respect of the entire property have been rendered to the Charity Commissioners, we think it expedient that the Company should obtain an authoritative declaration on the point raised by the case, through the medium of the Court of Chancery. This may be done by filing a Bill against the Attorney-General, for which, the claim of the Company being adverse to the charity, the leave of the Commissioners need not be first obtained.

"Roundell Palmer.
"Montague Cookson.

"Lincoln's Inn, April 9th, 1870."

A Bill was accordingly filed, and the case was decided by the court of first instance on the 3rd of November, 1870, and of appeal in April, 1871, declaring in both instances that the residue was a trust estate. The words in which these judgments were given furnish a justification to the Company, if such be needed, for their having taken the case before the courts for decision. In the lower court the judge (Lord Romilly) expressed his opinion that the litigation "raised a question "which it was desirable to have settled;" and in the higher court the Lord Chancellor (Hatherley) described the case "as one of very great nicety," in which he came to this "conclusion with considerable hesitation."

Merchant Taylors' Company *v.* Attorney-General. 11 Equity Cases, p. 35. *Ib.*, 6 Ch. App. p. 517.

To complete the statement of facts as to the prison fund, it should be mentioned that Parliament, in the session of 1870, threw out the Bill promoted by the Corporation of London; and then came the question of appropriating these funds to charitable purposes, which had to be dealt with by the Court of Chancery. This was done in 1873, by the reported case of Prison Charities, in "16 Equity Cases," p. 145, which resulted ultimately in a transfer of these funds to the credit of the convalescent home.

The Company did not, as it will be seen, wait for this decision before establishing that home, although the scheme for that purpose was not finally approved and sealed by the Charity Commissioners until the 6th of March, 1872.

What, then, could any trustees, individual or corporate, do, more than the Merchant Taylors' Company have done, to carry out a beneficent object; and where does Donkyn's case furnish a justification for Mr. Beal's contention that a new municipality should be originated to take the City Companies by the throat and deal with them?

II.—To revert to the charges of their misconduct as landlords.

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The other witness, to whom reference has been made, is Mr. W. Gilbert, who has requested the Commissioners to take his evidence. He assures the Commissioners that "he has given a good deal of attention "to the City generally, including the Companies;" and his mission is to show that "he has formed and expressed a strong opinion as to the "action of the City Companies in connection with the poorer population "of the City."

In general terms he accuses the City Companies of "driving the poor "out of their districts." Whenever a "house is destroyed and a new "one is erected, in almost every case, especially with regard to those of "City Companies, a clause is inserted that no person shall be allowed to "sleep upon the premises, thereby totally prohibiting the poor (though "why only the poor?) from returning."

In specific terms he formulates his accusation against the Merchant Taylors' Company "by an example, to explain better what he means."

He states his facts thus: that in Coleman Street the Merchant Taylors' Company own a property which, some ten years ago, they leased at 2300*l.* a year "under a condition that the whole building should be "pulled down and about 200,000*l.* expended in building chambers, with a "strict clause in the lease that no one should be allowed to sleep upon "the premises."

When cautioned by one of the Royal Commissioners, lest he should be imputing blame to the Company upon imperfect information, he repeats his accusation "from his own personal experience" as a director in a large Assam Tea Company, which, by-the-bye, has on another occasion enabled him to furnish the Royal Commissioners with other information. It is suggested by the same Royal Commissioner that the leaseholder, and not the freeholder, has inserted this condition; but as his accusation against a City Company, and his *raison d'être* for appearing before the Royal Commissioners, would fall to the ground if Mr. Gilbert accepted this (almost obvious) explanation, he answered, "No; "the freeholders would not grant the lease except upon that condition."

Now, whether the leaseholder has or has not inserted such a condition is not known to the Merchant Taylors' Company; but they do know that the terms in which the Inhabited House Duty Act is framed did formerly, until the Act was amended, oblige persons letting premises for offices or warehouses to insert such a stipulation, not against the poor, but to escape this very heavy taxation.

32 & 33 Vict. c. 14, s. 11, and 41 Vict. c. 15, s. 13.

The facts are these:—

The premises in question, prior to the re-letting referred to, were used as offices and warehouses, in which it is not probable that any persons resided, more than the occupiers required there for their employments. Be that as it may, the Merchant Taylors' Company did not seek or desire to alter in any way the purpose for which the premises should thereafter be used.

In the years 1875 to 1881 they granted ordinary building leases of these premises to A. A. Croll, Esq., at a ground rent, and with a covenant for an expenditure, not of 200,000*l.*, as Mr. Gilbert asserts, but of 20,000*l.*

1875, July 14.
1876, June 7.
1879, July 14.
1881, Feb. 20.

Whether Mr. Croll built offices or warehouses, with or without residences for the rich or poor, was a matter as to which the Merchant Taylors' Company made no stipulation whatever; and it may be added, that neither in this nor in any other case, when granting a building lease, have the Company ever inserted such a covenant as Mr. Gilbert affirms them to have included in the leases in question.

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III.—As governors of their school.

Before adverting to the statement of Mr. Gilbert on this head, the Merchant Taylors' Company may be excused if they preface these remarks by a short statement of their recent action as governors of that institution. This statement, it is hoped, will furnish reasonable justification, if such be needed, for their not having contributed as largely as other guilds have done to the Technical Institute.

Rightly, as they venture to think, the Merchant Taylors' Company recognized in 1866 an opportunity of largely increasing the usefulness of their old school as a high-class day school for the benefit of the residents in and about London. These matters are stated plainly in the Master's letter of the 23rd of June, 1866, to the governors of the Charter House, which is printed at length, p. 426 of the Company's memorials; but the paragraph to which attention is invited is as follows:—

"In conclusion, I have only to add, that the Company desire—whatever may be the result of this communication—that I should express to the governors their thanks for the opportunity offered to them of becoming the purchasers of their estate.

"All that the Merchant Taylors' Company have it in desire to do is to supply the want which obviously must arise—unless the governors of the Charter House are prepared to make some provision for it—after their relinquishment of that sphere of usefulness which, for upwards of 250 years, within the City of London, and partially towards its citizens, the governors of the Charter House have occupied—a want arising from no fault in the citizens of London, but necessarily resulting from the removal of an ancient educational establishment far beyond the walls. To aid in the supply of this want (so far as their corporate means will allow) is the only motive that has induced the Merchant Taylors' Company to give such anxious consideration to the proposals of the governors. How far the Company may be enabled to accomplish this object is dependent in some degree upon the result of this negotiation; but, whatever the result may be, I shall ever feel conscious that my colleagues and myself have manifested every desire to meet the proposals of the governors of the Charter House in a candid and unselfish spirit."

At that date, and when the "Royal Commissioners on the Public Schools" reported the annual cost of the school to the Merchant Taylors' Company was (say) 2000*l.* per annum, they were left free and untrammelled by the Parliamentary enactments which were extended to the other schools, the subject of that inquiry. The confidence thus reposed in them by Parliament, the Merchant Taylors' Company venture to think, has not been abused. Since that date they have sold their Irish estate, and devoted the proceeds thereof, with other moneys, to the purchase of the site and erection of the school in Charter House Square at a cost of 91,600*l.* They have increased the number of scholars from 250 to 500 boys: and their annual expenditure has been increased from 2000*l.* to 7724*l.* These figures, it is hoped, will satisfy the Royal Commissioners that the Merchant Taylors' Company are not indifferent to the cause of education for the middle class of London residents.

But to advert to Mr. Gilbert's charge against the Company.

It is not, as against Eton and other public schools, alleged that the Company's school was instituted for paupers; but it is insinuated that it was founded for the sons of working tailors, for Mr. Gilbert, on being asked "if a proportion of the Merchant Taylors' fund should be applied "for the benefit of the tailors generally?" he replies, "Yes; and that "used to be the case. If you look at Machyn and Stowe's diaries, you "will find *they* give a description of a dinner at Merchant Taylors' Hall,

"and also describe the Merchant Taylors' School, in which there was "not a boy in the school that was not the son of a tailor." Merchant Taylors' Company.

The dinner will not probably be thought worthy of further notice by the Royal Commissioners, though that allegation might be easily answered; but the statement in relation to the school is one of graver moment.

As authorities for this strange assertion, Mr. Gilbert refers the Royal Commissioners to two authors, both of whom were members of the Merchant Taylors' Company; but before dealing with these, let it be noted, as dates are material, that the school was opened in the year 1561, under statutes framed by the Company. Though the number was limited to 250 boys, it was laid down in Rule 25 that "children of all nations and countries indifferently" should be taught, and as proof that children of different social grades should be accepted, Rules 5 and 6 should be referred to, as these provided that 100 should be taught freely, 50 paying 10*s.* a year, and 100 paying 1*l.* a year. There is not a scintilla of evidence in these statutes or elsewhere that the Company had any intention whatever of founding a class-school for tailors' sons.

But to refer to the authors quoted, Machyn's Diary closes, as will be seen on referring to it, in the year 1562-63, that is, within a few months after the school had been opened. Had he made the assertion imputed to him, its veracity might reasonably have been doubted, and the fact questioned whether 250 sons of tailors could have been found *instanter*, at the opening of the school doors, eligible to enter. But leaving this question for others to decide, it is certain that Machyn made no such assertion as is imputed to him. He does refer to "tailors' sons," so that he had his eye upon the craft, but his reference is not to the "scholars," but to the "wardens" of the Company, who in the year 1555 he notes to have been all "taylors'" sons. P. 91, and see note, p. 345.

Stowe, in his "Survey," which work, it is presumed, Mr. Gilbert means by his reference to it as a "diary," is equally silent on the subject, and well it is for Stowe's reputation as a chronicler that he makes no such ridiculous assertion.

Wilson, in his school history, which an author of Mr. Gilbert's reputation cannot be ignorant of, asserts that in 1567 the scholars came not only from the districts adjacent, but from the counties of "Oxford, "Northampton, Dorset, Somerset, and even York;" and this is nearer the truth. However, the parentage of many of the earliest scholars in Merchant Taylors' School is biography within the ken of any tyro in history, and had the witness shown his authorities (if he ever found them) to any such friend, it is to be hoped that he never would have committed himself to the statement he has made to the Royal Commissioners. Vol. i., p. 34.

For conclusive proof it may be mentioned that the Merchant Taylors' Company possess a printed record of all entries in the school register from its opening until 1699, thus covering a period long after Stowe's death in 1605, and every page of this register furnishes a contradiction to Mr. Gilbert's assertion. Taking the first ten years, up to 1571, as a test period, one tailor's son only, "William Hodgson, son of Robert, tailor," is entered, viz. on the 12th of July, 1566; and not even the majority of the scholars are "Merchant Taylors," though this term would not, having regard to the terms of Henry VII.'s charter, necessarily show the father to have been a "taylor."[1] Printed as 193 of Memorials.

Passing from Mr. Gilbert's evidence, the Company confess that they

[1] This register has been carefully compiled by the Rev. Charles J. Robinson, M.A., one of the former scholars of the Merchant Taylors' School, and is on the eve of publication.

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have commented upon it with some degree of severity; but they hope that their criticism will not be taken for detraction: it was necessary to proclaim with no uncertain note the fallibility of one who claimed to be an expert upon the subject of municipal reform, and to bring to the consideration of the subject a judgment ripened by his researches into the usage prevailing in all the capitals of Europe besides our own. If Mr. Gilbert has allowed himself to be betrayed into such misstatements with regard to subjects upon which it is possible for any one to form a correct opinion, is it unreasonable to ask that his statements elsewhere should be tested and weighed before being accepted as facts?

But a word in conclusion. The Company wish it to be distinctly understood that in thus entering the arena of controversy they come not as defendants, since their conduct as a Company needs no defence, and as for their reputation as honest men, they are content to leave it in the hands of the Commissioners; but they come rather to dispel the cloud of prejudice and aspersion which seems to envelop the consideration of their case, and which is mainly due to the intemperate and inaccurate statements of their detractors. Mindful of this, they have confined themselves to a bare, and they hope a conclusive, contradiction of material facts, and have never descended, so far as they know, to the language of extenuation. Their war is with error, not with individuals, and they hope that no word in the preceding pages is calculated to give offence to any one who is honestly and earnestly endeavouring to promote the public good, even though it should be at their expense.

It is, however, with some difficulty the Company candidly admit that they have brought themselves to include Mr. Beal in this category, since errors, which in one of less pretensions to knowledge would be venial, from his mouth can be considered little less than reckless; in such a case omission is more apt to be suppression, and misstatement distortion.

Whatever misgivings, however, they may have had upon this score they have been able to dispel by considering that perhaps, after all, Mr. Beal is not to be taken at his own valuation, and that though he has assumed the role of omniscience with an airiness and jauntiness such as are seldom seen in one who is alive to its duties and responsibilities, his claim to the title has yet to be established.

James Fenning,
Master,
In behalf of the Master and Wardens.

Merchant Taylors' Hall,
Threadneedle Street,
10th of August, 1882.

SALTERS' COMPANY.

SUPPLEMENTARY STATEMENT.

The Salters' Company beg to remark that the first recorded evidence of their existence is dated in 1394, when it was licensed by Richard II., in the joint title of the Guild or Fraternity of Brethren and Sisters of Corpus Christi and the Company of Salters.

This combination of the religious and trading elements, together with other circumstances referred to in their return, render it highly probable that this Company was never exclusively a community of traders.

Moreover, it would appear that this, as well as other guilds, could not have existed for the sole purpose of benefiting the particular trades from which they derive their names; for the right of freedom by patrimony has prevailed from time immemorial, and this would necessarily introduce many members who would follow other callings. Salters' Company.

Statements have been made which suggest that the funds entrusted to the Companies for charitable uses have been misapplied. So far as the Salters' Company is concerned, it may be stated that suits instituted against the Company, and designed to prove a breach of trust, have failed; and the returns of the Company show that the sums expended on the charitable trusts under the Company's administration have considerably exceeded the amount which has been received from the Trust Estate.

With regard to the income derived from their Corporate Estate, a large proportion has been always devoted to works of benevolence and public utility, to the promotion of education, and the support of aged, poor, and deserving members of their Guild.

The Salters' Company may avail themselves of this occasion to state that, in addition to the educational grants alluded to in their report, they have now brought into practical operation a scheme which for some time past they had in contemplation, having for its object the promotion of the education of the sons and daughters of their own members, by grants of money, varying in each case from 20*l.* to 80*l.* per annum. The advantages offered by this scheme are much appreciated, the freemen and liverymen having readily availed themselves of it.

Statements were made by witnesses who tendered evidence on the twelfth day, that the Companies' estates in Ireland are Trust Estates: that the purchase-money was not taken from the funds of the Corporation or of the Companies, and that the tenants have been invariably rack-rented.

In reply it may be stated that the conveyance of the estate to the Companies was absolute and without any covenant of trust; that the Companies at first declined to have any dealing with the property, but were ultimately persuaded, by representations on the part of the Government, that the undertaking would conduce to their profit. That there is no doubt the Companies provided all the money; and so far as regards the Salters' Company (and probably the other Livery Companies), the amount required was raised, partly from their corporate funds, and partly from loans from individual members of the Company.

There is evidence that these loans were in process of repayment from the corporate funds of the Company, several years afterwards. As to the estates being rack-rented, the rents of the Salters' Company have always been, in the aggregate, under the Government valuation. Tenant-right interests are readily saleable; and the witnesses generally admit that the tenants are, on the average, better off under the Companies than under private landlords.

It has also been implied that the Companies have not promoted the interests of their tenants by expenditure of income derived from the estate.

In reply to such suggestions, the Salters' Company beg to place before the Commissioners the following particulars of their expenditure during the last twenty-eight years.

Salters' Company.

STATEMENT OF EXPENDITURE ON IMPROVEMENTS, &c., from 1853 to 1881.

	Rural Districts. £ s. d.	Town of Magherafelt. £ s. d.
On School Building and Repairs	3220 0 1	2576 18 4
„ Support of Education	5823 17 3	6801 8 2
„ Church Buildings, Parsonages, &c.	2443 12 9	6064 17 0
„ Ministers of Religion and Church Sustentation Fund	3452 13 6	2315 0 0
„ Main or Arterial Drainage	4429 2 5	409 15 1
„ Improvement in the Breed of Cattle	193 11 3	—
„ Farm Roads, Pavements, &c.	5775 0 2	734 1 9
„ Water and Gas Supplies	126 3 6	691 9 9
„ Public Buildings, Repairs, &c.	—	2129 19 10
„ Charitable and other Donations	1096 2 11	2165 1 9
	£26,560 3 10	24,486 11 8
	Total £51,046 15 6	

The above expenditure is exclusive of any outlay from which the Company derive profit, and the cost of management is not included.

Mr. Andrew Brown, a tenant on the estate, who gave evidence before the Commission, also on the twelfth day, complains that an appeal which was made against an advance of twenty per cent. put on a portion of the estate in bad years, was rejected.

This augmented rent was an addition of twenty per cent. on a small section of the Town-park holdings, which had been reduced ten per cent. in 1855, and not increased when the rentals of the agricultural holdings were raised ten per cent. in 1866.

The aggregate annual accretion of rent from this source amounted to about 150*l.*, and simply placed all town-parks and agricultural holdings on the same footing.

Mr. Brown adds that a recent appeal for reduction of rent was also rejected.

It is true that the Company declined to adopt a general reduction of their moderate rental, which, for agricultural holdings, is about ten per cent. below the Government valuation; but they promised to take into consideration individual applications for relief, and to determine them on their respective merits. This decision has been acted on, and in several instances remission of rent has been granted, and pecuniary assistance afforded to needy tenants.

Mr. Brown further says that from 1854 to 1866 "there are many living witnesses to prove that none but the tenants do anything to their farms."

The facts are that a sum of 16,560*l.* 6*s.* 6*d.* was expended on the rural districts, and 12,283*l.* 5*s.* 10*d.* on the town of Magherafelt, in improvements during those twelve years; the money spent in the town being in excess of the entire rent received from the town holdings.

Only a fraction of the above expenditure, viz., 1500*l.* for mills and mill-dams, was in any degree remunerative to the Company.

Mr. Brown also affirms that from 1866 to 1882 the agricultural holdings have not in any way been improved by the landlords. The answer to this accusation has been already given in the previous statement, where the cost and character of the improvements effected are enumerated.

Salters' Company.

EXPENDITURE from 1853 to 1866.

	Rural Districts. £	s.	d.	Town of Magherafelt. £	s.	d.
On School Buildings	1533	11	7	2591	4	9
„ Support of Education	1865	13	6	1791	19	0
„ Church Buildings, Parsonages, &c.	2153	12	9	5588	14	6
„ Ministers and Church Sustentation Fund	467	10	0	370	0	0
„ Main or Arterial Drainage	3407	2	8	149	1	6
„ Farm Roads, Pavements, &c.	5019	1	11	263	14	0
„ Water and Gas Supplies	—			239	5	5
„ Public Buildings, Repairs, &c.	—			483	3	8
„ Charitable and other Donations	613	9	0	867	13	0
„ Mills and Milldams	1500	5	1	—		
	£16,560	6	6	12,283	5	10

These sums are of course included in the previous Statement of Expenditure from 1853 to 1881.

IRONMONGERS' COMPANY.

SUPPLEMENTARY STATEMENT

Presented to the Royal Commissioners appointed to inquire into the City of London Livery Companies.

THE Ironmongers' Company, having carefully read the statements to the Commissioners, do not consider it necessary in any way to refute the theories propounded in those statements with respect to the duties of the Livery Companies, but desire merely to put the Commissioners in possession of certain facts with a view to correct misstatements which have been published. It is quite clear from the records in the possession of the Company, that their mystery was established as a guild upwards of 100 years at least before incorporation by charter in 1463.

These guilds had their origin in Anglo-Saxon times, and were communities of persons associated together for purposes of mutual fellowship, protection, and support, called into existence by the exigencies of those times; and naturally those having a common trade made common cause, and were attached to each other by common interests. There is no record of funds or land coming to them from any source external to their own body. Their property has all been acquired by contribution or bequest of members.

In 1457 they, out of their own private funds, subscribed money for the purchase of land and a hall for the meeting of the members.

In the 3rd Edward IV. (1463), all the freemen of the mystery and art of ironmongers were incorporated by royal charter in general terms, without special duties of any kind being imposed, as appears from the charter sent out in Return, part 1, B.; and neither by this charter, nor by any subsequent charter, is there directly or indirectly any declaration of a trust.

Lands and funds have from time to time been left to the Company by members of their body and others, subject to certain express chari-

Ironmongers' Company.

table trusts, and these the Company have faithfully discharged to the present time; and in many cases in which these funds have been exacted by the Crown, they have been replaced by subsequent contributions of the livery from their individual private funds, so that the objects of the trusts should not suffer; and this Company respectfully, but firmly, protests that no one outside their own body has either legal or moral right to participate in any property other than that which is actually impressed by the donor with a trust, and the whole of which is administered under the supervision of the Charity Commissioners.

Questions 728, 827-9.

It has been contended before you, that the whole of the charters are bad, because the king had (according to the witness's construction of the sixteenth section of Magna Charta) parted with his right to grant charters conferring the right of search. Assuming, however, this construction to be correct, the contention falls to the ground in the case of this Company, as no such right is directly or indirectly conferred by any of the charters; and the records of the Company show that statutory legislation for the protection and regulation of the iron trade was enacted in the reigns of Henry IV., Richard III., Henry VIII., and Edward VI., and that on certain occasions this Company have laid abuses of the trade before the Common Council, that they might deal therewith, this Company not having the power in itself.

Amongst its own commonalty only this Company exercised supervision and control of trading, but, as none of the trade joined the Company other than of their own free will and for their own good, obedience to such control can only be regarded as voluntary, and not as infringing the liberty of the subject, contrary to the provisions of Magna Charta.

Question 39.

It has been suggested that "the connection of the Companies with "the arts, crafts, and trades which, *according to the terms of their con-* "*stitution*, they are designed to comprehend, should be restored." In reply, it may be stated that not one of the several charters and confirmations by which the Ironmongers' Company is constituted designate any craft or trade. Whatever connection this Company may have had with the trade was outside its constitution.

Questions 74 *and* 1324.

More than one witness states that in many, or nearly all the old, charters, the Companies were endowed with power to hold land, contrary to the statute of mortmain, for the benefit of the poor. So far as the Ironmongers' Company is concerned, this statement has no foundation; the licence is granted in every case without condition of any kind.

Question 106.

The bequest of money for a dinner, as alleged in this question, is erroneous. There has been no such bequest.

Question 674.

The statement in the reply to this question, viz. "you have raised the "fees of admission to a price which no artisan can pay," is not correct,

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as any boy of fourteen may be bound apprentice for a nominal fee of 1*l.* 7*s.* 0*d.*, who, when he has served his apprenticeship, may be admitted on the payment of 3*l.* 5*s.* 0*d.* for fees and stamp duty.

Question 863.

This Company is entirely independent of any control by the City (if thereby is meant the Corporation) or by the Crown, other than as subjects of the Throne; in fact, notwithstanding a servitude of seven years is required by the Corporation, they have, in the interest of those desirous of being admitted to their freedom by apprenticeship, made it optional with the apprentice to serve for five years only.

Question 1351.

There is no known instance in the records of the Ironmongers' Company of any one being compelled to join the guild. It has always been a voluntary act, and the statements made by the witness in this and the following answers are not founded on fact so far as concerns this Company.

Questions 865-74 *and* 1412-23.

The right of electing the chief officers and of making ordinances for the good government of the City was *claimed* by the Livery Companies in the reign of Edward III., and *obtained* by them actually in contravention of an order made in the twentieth year of that reign, by which that right was restricted to the representatives of the wards; thus showing that they acted in furtherance of their private interests, independently of and not as subject to the Corporation, as alleged by Mr. Beal; not as discharging a public function conferred on them, but as exacting a voice in the election of their officers for their own protection. In 17 Richard II. (1384) these rights were withdrawn, and the previous practice of choosing the common council by the wards, instead of the mysteries, was reverted to.

Questions 1445-6.

In the Ironmongers' Company the rule is, that no freeman is allowed to change the copy of his freedom, but chiefly (*i.e.* solely) hold of his fellowship.

Questions 1423-4.

It has from time immemorial been the custom of the Ironmongers' Company to admit to the freedom by patrimony, and for many centuries to admit by redemption; the assumption, therefore, is strongly against the witness's statement, that at the time of the grant of the charter there was not any member who was not a member of the trade.

STATEMENT

On evidence given on the 12*th of July,* 1882, *before the City of London Livery Companies' Commission concerning the Irish estates of the Livery Companies.*

The statement made by the deputation that the Irish estates were granted to the Companies subject to public trusts is not true.

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In the beginning of the reign of James I. a considerable part of Ulster had become vested in the Crown by act of attainder consequent on the rebellion in the previous reign. The country being then in a most disturbed condition, a project was set on foot in 1608 for planting and establishing a Protestant colony in the north of Ireland. Certain conditions (viz. those set out in the appendix to Dr. Todd's evidence) were issued by the Privy Council, in accordance with which his Majesty's subjects were invited to undertake the project. Though many private individuals offered to become undertakers, the Crown, in view of the magnitude of the scheme, deemed it advisable, in July, 1609, to offer the undertaking to the City of London on the same conditions. This offer was declined.

In August, 1609, a committee was appointed by the City to conduct negotiations which had been re-opened by the Privy Council, and which resulted in the City undertaking the Plantation on articles of agreement entered into with the Privy Council on the 28th of January, 1609 (O.S.), and set out in the Schedule hereto. It is these articles, and the charter subsequently granted by James I. on the 29th of March, 1613, which may be said to "form the limits and bases of the title by which the "Companies hold their Irish estates," and *not* "the articles concerning "the English and Scotch undertakers" as set out by Dr. Todd.

The Committee recommended that a Company be constituted in London, and that the undertaking should be managed in Ireland by direction from the Company in London. On the 30th of January, 1610, the Common Council ordained, in accordance with such recommendation, that a Company be instituted in London in order to carry out the plantation; and on the 29th of March, 1613, this Company was incorporated by charter under the name of "The Irish Society;" therefore the fact of the Society being "a corporate body and non-resident" cannot now be alleged as a reason for State interference.

The sums required for the plantation were raised "by way of Com-"panies of the City and in Companies by the poll."

The Court of the Ironmongers' Company ordered each member "to "pay his proportion, and further ordered that the proportions of those "unable to pay should be taken up at interest, and the Company to bear "the same." There is no evidence that money was raised from any but members of such of the Companies as joined in the undertaking, and the money so raised was paid, not to the Crown, but to the Chamberlain of the City, for the purposes of the plantation.

In July, 1611, on the occasion of a further levy by the City of a sum of 10,000*l.* for carrying on the plantation, notice was given that if the money should not be paid, the defaulting Companies would forfeit their claim to the amount already disbursed towards the said plantations.

The Coopers' Company, one of the Companies associated with the Ironmongers' Company in the undertaking, being unable to pay their contribution, the Corporation directed the Chamberlain to pay it: and it was declared that "the City is to receive all the *benefit* and *profit* as well "already due as hereafter shall grow due to the said ('Coopers') Com-"pany by the said plantation of Ireland."

On the 13th of September, 1615, a licence in mortmain was granted by James I. to the twelve Companies respecting their Irish estates, wherein one of the reasons for granting such licence is "*that the Com-"panies may in future reap some gain and benefit of their great travails "and expenses taken and bestowed thereon.*"

The Manor of Lizard was created by the Irish Society on the 15th of October, 1618, and a conveyance of this manor to the Ironmongers' Company from the Society was executed on the 7th of November, 1618.

By this deed the Society did "fully, clearly, and absolutely grant" the Manor of Lizard, and all the rents, advowsons, tithes, and all other profits whatsoever, except timber, &c., at the yearly rent of 11*l.* 6*s.* 8*d.*, to the Ironmongers' Company, their successors and assigns for ever, to the only use and behoof of the said Company. Ironmongers' Company.

In 1630 Paul Canning, who was then a member of the Ironmongers' Company, and their agent in Ireland, sold his estate in England for 2000*l.*, and spent it in planting and stocking the Company's estate, and also at his own charge built a church.

The charter to the Irish Society granted by James I. was revoked in the reign of Charles I. by decree of the Star Chamber in Hilary Term, 1638, and all the estates were escheated to the Crown; but in 1641, on the petition of the Corporation, Parliament, upon mature consideration, resolved that "the sentence in the Star Chamber was unlawful and "unjust, and that the citizens of London, and those of the new plantation, "and all under-tenants, and all those put out of possession, should be "restored to the same estate in which they were before." In this petition it is set forth that 150,000*l.* had been expended on the plantation by the Irish Society and the Companies in addition to any outlay by the tenants.

In 1656 the Lord Protector, by letters patent, restored and confirmed the Irish Society as originally ordained under the charter of James I.; and in 1662, 14th Charles II., letters patent were issued, containing, with but little alteration, all the clauses of the charter of James I.; and the renewed grant from the Society to the Ironmongers' Company of the Manor of Lizard, dated 13th of May, 1663, recites, that "the king takes "into consideration the vast sums of money the Society and the several "Companies of London had laid out and disbursed in their building and "planting."

The Manor of Lizard, as originally created, contained 38,470 acres (English), and the estate was apportioned by the undertakers as follows:—

	Acres.
Church lands and glebe	12,403
Freeholds at quit-rents	13,742
Retained by the Company	12,325

In 1842 the Company's estate contained 12,686 acres, then valued, by the well-known valuators Messrs. Nolan, at 5610*l.* per annum, and let at 5509*l.*, chiefly on yearly tenancies to the tenants actually in occupation at the expiration of the last lease which had been granted by the Company on lives.

In 1860 the estate comprised 12,735 acres, and was again valued by Messrs. Nolan at 7055*l.*, and in 1863 the annual rent was fixed at 6718*l.*

The present annual rental of the estate is 7100*l.* There are now only four leases on the estate, the tenants preferring yearly holdings, of which there are 541 (*see* Original Return A., 2, 9, question 5, page 45). The population at the last census numbered 1583 males and 1808 females; total 3391.

In 1764, in consequence of a report to the Company of the harshness with which the tithe was exacted from the tenants, the Company redeemed it for 1115*l.* and extinguished it solely in the tenants' interest.

The tenants for many years were supplied by the Company with lime at a nominal price, and with timber, slates, roofing and draining tiles, also with large quantities of quick for fences, and young trees for shelter, besides grants of money for iron gates and pumps; and the Company make a considerable outlay on the construction and upkeep of roads, bridges, and fences, altogether averaging upwards of 625*l.* a year, in

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addition to an annual expenditure of 400*l.* on schools, churches, charities, exhibitions, and clergy of various denominations. The Company also subscribed 200*l.* towards the preliminary expenses of the Derry Central Railway, and guarantee 5*l.* per cent. interest on 5000*l.* of the stock for twenty-three years if necessary, and are now paying it, and they gave the land required for the railway without charge, and this amounted to forty acres.

The memorial to the Right Hon. W. E. Gladstone, dated 18th of March, 1881, and purporting to be signed by George Williamson on behalf of the Ironmongers' tenantry, has been read to the principal tenants by the agent, and they say they none of them ever heard of the memorial, also that the statements therein are untrue so far as concerns the Company's tenantry, and that George Williamson was not to their knowledge authorized to represent the tenantry. One of the tenants, the Rev. Mr. McCay, who has been examined before the Commissioners, denies any knowledge of the memorial.

As to the statements in the memorial, it is not the fact that the under-tenants held from the middlemen from year to year; they held on lease from the middlemen for forty-one years or three lives; the last lease commenced in 1798 for the Bishop of Meath's life, who died in 1840. Since then the tenants have virtually held from valuation to valuation at intervals of upwards of twenty-one years, and in effect such a holding as a tenancy at will is not known on the estate.

It has been previously shown what is the rental of the estate since it came into hand in 1840; and to enable the Commission to form an opinion as to the fairness of such rents, it may be stated that Griffiths' valuation in 1852 was based on the average of produce as shown in Table I.; and the actual prices realized in Belfast market for thirty-one years, 1850—1880, average as in Table II.

Table I.—Griffiths.

Wheat.	Oats.	Flax.	Pork.	Butter.	Beef.	Mutton.
—	—	—	—	—	—	—
7/6	4/10	6/11½	32/-	/7	35/6	41/-

Table II.—1850—1880.

10/10¾	7/7½	9/11½	43/2	1/-	64/2	68/6

In 1703 the best beef fetched 3*s.* 6*d.* per 120 lbs. in Dublin market, and in 1725 had risen to 16*s.* per cwt.

No increase of rent has occurred on this estate for twenty-two years, and the present rental is more than 6*l.* per cent. below Griffiths' valuation; it is therefore evident that the tenants have reaped the full benefit of the increased market value of produce.

When the estate came into hand in 1840 there was no tenant-right existing; but in 1860 the Company established a tenant-right equivalent to ten years' purchase of the rent, and yet within the last year tenant-right has realized from eighteen to fifty years' purchase.

Schedule.

Articles agreed upon the xxviii. daie of Januarie betweene the Right hon^ble^ the Lords of his Ma^ties^ most hon^ble^ Privie Councell, on the Kings Ma^ties^ behalf, on the one pte, and the Committees appointed by act of Comon Councell, on behalf of the Maior and Comunaltie of the cittie of London, on the other pte, concerning the plantacon in pte of the Province of Ulster.

1. Imprimis, it is agreed that xx^tie^ thousand pounds shall be levied,

15,000li to be expended on the said plantacon, and 5000li for the clearing away of private men's interest in things demanded. Ironmongers' Company.

2. Agreed that at the Derry 200 houses shall be built and room left for 300 more, and that 4000 acres lying in the Derry side shall be laid thereunto; bogg and barren mountains to be no parcel thereof, but to go as waste for the cittie.
3. The Bisshoppe and Deane of ye Derrie shall haue conuenient plotts of ground for their states of their houses at the Derry.
4. Agreed that Colraine shallbe built on the very same ground of the abby side, that 100 houses shall be built and room left for 200 more, and 3000 acres of land shall be laid.
5. Agreed that measure and account of land shall be after the Balliboes.
6. Agreed that the rest of the territory and entire countie of Colraine, estimated at 20,000 acres, be cleared from all pticular interest except the Bishop and Deane of Derry, and except certain porcons of land to be assigned to three or four Irish gentlemen at the most now dwelling and settled in the countie of Colraine, who are to be freeholders.
7. Item, it is agreed that the woods and grounds of soil of Glancan-Kerne and Killetroughe be wholly to the cittie, and the timber used for the plantacon.
8. Agreed that the lands within the woods of Glane and Killtroughe, which stand charged as surveyed lands, be undertaken by them in like form as Colraine.
9. Agreed that the cittie shall haue the patronage of all the churches in Derry and Colraine.
10. That the 7000 acres of land to the cittie of the Derrie and town of Colraine shall be in fee-farme at the rent of liiis iiiid.
11. And to be held of the King in free burgage.
12. The residue of all the lands and woods to be undertaken to be holden of the King in comon socage.
13. The customs of all goods imported to be exported, &c., to be enjoyed by the cittye for 99 yeares within the citty of the Derrie, town and county of Colraine, and ports and creeks thereof, paying yearly to his Matie vis viiid as an acknowledgt.
14. That salmon and ell fishing of the Ban and Loughfoyie, and all other fishing so far as Loughfoyle floweth, and the Ban to Loughcagh, shall be in perpetuitie to the cittie.
15. The cittie shall haue liberty to transport all prohibited wares growing upon their own lands.
16. The cittie shall haue the office of Admiral in the coasts of Triconell and Colraine, and all royalties belonging thereto; and if their shippes and goods be wrecked at the sea in Ballesman or Olderflute, and in all other coasts, &c., alongst and betweene saved and reserved to themselves.
17. That the cittie shall haue like fishing and fowling upon all the coasts as other subjects haue.
18. That no flax, hemp, or yarne unwoven be carried out of the ports of Derrie and Colraine without licence from the cittie officers, and that no hides be transported raw without licence.
19. That the cittie and town of the county of Colraine be freed from all patents of privileges heretofore granted to any pson, and that hereafter no pat of privileges be granted to any pson within the said county, &c., and that they be freed from all taxes and impositions of the Governor of those pts.
20. That the cittie shall have the castel of Colmore and the lands

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thereunto in fee farme, they maintaining a sufficient ward of officers.

21. The liberties of the cittie of Derrie and Colraine shall extend three miles every way.
22. That the cittie shall have such further liberties to the Derrie and Colraine as upon view of the charters of London, the Cinque Ports, Newcastle-upon-Tyne, or the cittie of Dublin, shall be found fit for those places.
23. That all particular men's interest in and about Derrie and the counties of Colraine, &c., be cleared and offered to the cittie (except as is excepted in 6th art.).
24. That sufficient forces shall be maintained by the King for safety of the undertakers for a conuenient tyme.
25. Agreed for settling all things touching the said plantacon, his Ma^tie^ will give his royal assent to Acts of Parliament here and the like in Ireland to passe.
26. The cittie to have time for seven years to make such other reasonable demands as time shall show to be needful.
27. Lastly, that the cittie shall w^t^ all speed set forward the plantacon, as that 60 houses be built in Derry, and 40 at Colraine by the 1st of November, which shall be in the year of our Lord 1611.

April, 1883.

CLOTHWORKERS.

OBSERVATIONS ON THE EVIDENCE GIVEN BY THE WITNESSES BEFORE THE ROYAL COMMISSION APPOINTED TO INQUIRE INTO THE CITY OF LONDON LIVERY COMPANIES, ESPECIALLY SO FAR AS THE SAME RELATES TO, OR AFFECTS, THE CLOTHWORKERS' COMPANY.

I. *As to the Foundation and Object of this, and the other City Companies, or Guilds, or Gilds.*

These are stated in the passage from the 2nd report of the Commissioners under the Municipal Corporations Commission of 1834, which was drawn up by Sir Francis Palgrave (a high authority on such subjects), and which is quoted by Mr. Hare in his evidence before the present Commission. (Answer to Question 26.)

It appears from this passage that the Companies were not trading, but trade societies, and their object was:—

(*a.*) To protect the consumer or employer against the incompetency or fraud of the dealer or the artisan (as Mr. Froude, "History of England," vol. i. p. 42, speaking of cloth, says, "to ensure that the cloth put up for sale was true cloth of true texture and full weight"), and to secure a maintenance to the workman by preventing his being undersold in the labour market by an unlimited number of competitors.

(*b.*) To act as a domestic tribunal for the settlement by arbitration of disputes between man and man, thus diminishing hostile litigation, and promoting amity and good-will.

(*c.*) To perform the functions of a benefit society (and, it should be added, of a burial club), from which the workman, in return for his contributions, might be relieved in sickness, or infirmity, or old age, and have his burial expenses paid.

(*d.*) To serve as institutions, as in the nature of a modern club, in which individuals of the same class and their families assembled in social intercourse. Clothworkers' Company.

They had also a religious element. They had a patron saint, who, in the case of the Clothworkers' Company and of their predecessors the Fullers and Shearmen, was the Virgin Mary. They attended religious services, and the funerals of deceased members. They had chaplains who performed obits (or obiits) and masses for the souls of the dead. They held chartered feasts and entertainments on specified days. They also took part in the pageants of the middle ages.

The statement made by Mr. Beal, in his pamphlet "The Relief of the Ratepayers' Burdens," that "guild was originally a name applied to the quarter of the town where men and women practising a particular trade lived," is incorrect. The name (see Herbert on the "Twelve Great Livery Companies," vol. i. pp. 1—3) is derived from the Saxon "*Gildan*," to pay, denoting an associated body or brotherhood, because every member was "Gildar," i.e. to pay something towards the charge and support of such body.

Of the above-mentioned objects:—

(*a.*) That for ensuring to the consumer or employer excellence in the wares by means of searches, and to the workmen protection from unlimited competition, has long fallen into disuse. Mr. J. R. Phillips (answer to Question 1385) puts the year 1688 as the date when what he calls the severance of the Guilds from the trades began, with the avowed object of treating as public property all the estates acquired by the Companies previously to that time, those since acquired by them being, as he states, few in number. But there is no ground for assigning that date, and Mr. Froude, in his "History of England," vol. i. p. 30, describes the decay of this organization for the maintenance of fair dealing as having taken place in the reign of Elizabeth. It is mentioned by Mr. Hare (answer to Question 27) that Queen Elizabeth sent to the Mercers' Company to know why silks were so dear, and marvelled much to learn that only one or two of the Company knew anything about silks at all. And it appears from the books of the Clothworkers' Company that of the five persons named as Master and Wardens in the Charter of Queen Elizabeth, A.D. 1560, one only was a clothworker by trade. This Company went through the formality of appointing searchers up to the year 1754, when the practice was finally discontinued; but it had in fact been a mere form for upwards of 100 years previously, the legality of the rights of control over trade monopoly having come to be questioned. Indeed, in the case of the Clothworkers' Company (of Ipswich), (Godbolt, tit. 351, p. 254), which was decided soon after the death of Elizabeth, that is to say, in the twelfth year of King James I., such rights were held to be void, having been superseded by statutes regarding trade passed in the reign of Queen Elizabeth. The cloth manufacture, moreover, had begun to leave the City of London for Norwich and Ipswich, and for the west and the north of England.

(*b.*) This object, viz., that of arbitration, has also for some time fallen into disuse, mainly for the reason that the Company had no means of enforcing their award. But, so recently as the year 1881, the Company were appealed to by artisans in the cloth manufacture in Yorkshire, to interfere to obtain from their employers the redress of an alleged grievance in a dispute between them and their employers. The Company, however, declined to do so, considering that they could not usefully intervene.

Objects (*c.*) That for providing for the assistance of sick and infirm

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and decayed and aged members, and for the expense of the burial of poor deceased members.

And (*d.*) That of providing for the social intercourse of the members including, in the case of this Company, the poor freemen and freewomen, who to the number of 200 or thereabouts are entertained in the Livery Hall on every St. Thomas's Eve, the 20th of December) have always been and are fulfilled by the Company.

II. *As to the legal position of this and the other Companies.*

It has been alleged on the part of the Companies that they were Corporations by prescription, having the before-mentioned objects for centuries before they were incorporated by Royal Charter, and that, even if their charters could be cancelled or avoided, they would retain their character of Corporations by Prescripton, to which the legal processes of "Scire Facias" or "Quo Warranto" could not apply.

On the other hand, it is contended that the Companies lost their character of Corporations by Prescription by accepting the Royal Charters.

But there certainly is authority for the proposition that a Corporation by Prescription may continue as such, notwithstanding that it obtains a charter from the Crown, in the incorporating part of which words of creation only (such as "grant," &c.) are used, those words being capable of being taken, not as conveying a fresh grant, but as operating to confirm something previously enjoyed by the grantees. ("Grant on Corporations," pp. 32 and 33, and the cases there cited, including "The King against the Corporation of Stratford-upon-Avon," 14, East's "Reports," p. 348.)

However, it is denied that the charters are liable to be revoked or avoided.

The grounds suggested for such liability are—

(*a.*) That they contain clauses, such as those giving the right of search, which were illegal in the first instance as being in restraint of trade, and contrary to public policy, and inconsistent with Magna Charta.

But one part of a charter may be good and the other parts void or voidable. ("Grant on Corporations," pp. 40, 41, and the authorities there referred to, including "Sackville College Case;" T. Raymond's "Report," pp. 177-78; and "The East India Company against Evans and Others," I. Vernon's "Reports," pp. 305-8; and "Lord Mulgrave against Sir John Mounson," Freeman's (Chancery) "Report," p. 17), provided that the void or voidable clauses are independent clauses, and that the king was not deceived in the substance of his grant, which was not the case with regard to these charters. Indeed, at the date of the later ones, it must have been well known to the Crown that the rights of control over trade had fallen into desuetude or were incapable of being exercised. Therefore, if the clauses conferring those rights were illegal, the incorporation and the other valid clauses would still remain in force.

(*b.*) That the Companies having ceased to be connected with the trades (Mr. Beal says, "having ceased to trade;" but this expression is incorrect, the Companies never did trade, certainly the Clothworkers' Company, as a Corporation, never did), the purposes for which the charters were granted have failed and the charters have ended.

But the rights of control over the trades were not the only purposes for which the charters were granted, and the disuse by the Companies of those rights could not put an end to the charters. However, in addition to technical legal argument, which it is necessary for the Company in this and other instances to advance in reply to those of the like

nature used against them in the evidence before the Commission, the Company rely, in answer to these suggestions of the invalidity of the charters, on the fact (as pointed out by the Earl of Derby, in his questions 986-89) that the question has never been tested, though there has been every opportunity of testing it for an indefinite time past. Clothworkers' Company.

III. *As to the Charters of this Company.*

A volume containing the charters of this Company and the grants of land and tenements made to them, including the Act of Parliament of 4 James I., accompanied the returns of the Company. Their first charters are, that granted to the Fullers by Edward IV., in the twentieth year of his reign, A.D. 1480, and that granted to the Shearmen by Henry VII, in the twenty-third year of his reign, A.D. 1507-8. These Corporations were united and reincorporated under the name of the Clothworkers' Company by charter of Henry VIII., in the nineteenth year of his reign, A.D. 1527-28.

The Company's licences in mortmain are contained in their charters, which empower them and their successors to hold lands and tenements, notwithstanding the statutes of mortmain or any other statute or ordinance. Moreover, this and the other Companies are exempted from the operation of the statutes of mortmain as regards their lands and tenements in the City of London devised to them by citizens resident in the City, and paying "scot and lot," by the custom of London. This custom is stated by Lord Chancellor Cottenham, in the case of "The Attorney-General against the Fishmongers' Company (Preston's Will)," 5 Mylne and Craig's "Report," p. 19, as follows:—"By the recognized custom of the City of London, citizens, though they could not convey lands in mortmain, were entitled to devise them in mortmain, and the Corporations were entitled to accept the lands so devised, whatever might be their value."

IV. *As to the Constitution and Membership of the Company.*

The membership of the Company is, and has always been, acquired—

(1) By Apprenticeship (fee nominal).

(2) By Patrimony (fee nominal).

(3) By Purchase or "Redemption."

It is contended by Mr. Firth, M.P., in his work "Municipal London," p. 59, and also by the witnesses, Mr. Beal and Mr. Phillips, that in the creation of the Companies, membership was restricted to the craftsmen. Even if this had been the case it would soon have ceased to have been so by the operation of patrimonial succession. But it is not the fact as regards the Clothworkers' Company and some other of the Companies, e.g. the Haberdashers' and Merchant Taylors'. The charters of the Clothworkers' Company provide in express terms for the inclusion in the Corporation of persons not belonging to the mystery; that is to say, of "the brothers and sisters of the freemen of the mystery or art, and others who, of their devotion, shall have wished to belong to the Fraternity or Gild." Mr. Firth, in his work, p. 59, quotes in support of his aforesaid contention the words in the Clothworkers' Charter of 9 Charles I., which declare that "all persons, 'tam indigenæ quam alienigenæ,' who then used or should thereafter use the mystery of Fullers, Shearmen, or Clothworkers, within the City or suburbs, should be one body politic." But he omits to cite the subsequent clause in the same charter, giving power to increase and augment the commonalty, and to receive, make, and constitute into it "whatsoever persons, as well natives or aliens ('tam indigenas quam alienigenas'), whom they shall be willing to receive into the same." There are, and always have been, freewomen of this Company. The Livery of the Company are chosen

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by ballot from out of those persons who possess the freedom of the Company by the Court.

It is to be observed that, in fact, among the freemen there are artisans practising businesses cognate to that of clothworking, for instance, "packers" and "pressers."

V. *As to the Government of the Company.*

The governing body are, the Master, elected annually (generally speaking in rotation according to seniority) from the members of the Court of Assistants who have not passed the chair (any one who declines to serve, paying a fine), and four Wardens, two of whom are elected every year out of the Livery (generally in rotation according to seniority, excepting any who are disqualified by bankruptcy or insolvency, or some other good cause; the Company considering this mode of election as the most fair and most beneficial in operation, obviating, as it does, canvassing, and the resort to any undue influence), and serving as Junior Wardens the first year, and as Senior Wardens the second year (at the end of which they are taken on to the Court), and about thirty-five Assistants. The emoluments of the members of the Court are derived only from their fees for attending the Courts and the Committees. This mode of remuneration is objected to by Mr. Firth, and by some of the witnesses; but it is the one usually adopted by Companies and public bodies, and it is preferable to a fixed salary, for the fees are not paid to those who are absent, or do not come in due time, and the members of Court, who are generally men actively engaged in professions or business, could not be expected to give up the best hours of the day without being remunerated (Mr. Gilbert, in answer to Question 1563, says he would not like to do so), and the amount of the fees (between 65*l.* and 80*l.* per annum) is a moderate compensation for the amount of time given and work done.

The Courts are held on the first Wednesday in every month (except September). They last for three hours at least, often longer. The ordinary course of transacting business is given for the information of the Commission. The Master and Wardens meet at two o'clock for the purpose of binding apprentices and admitting freemen. At half-past two the general business of the Court begins.

1. The Acts and Orders of the last Court are read by the Clerk, and having been put from the chair and adopted, are signed by the Master. 2. The Court then considers various matters, not set out on the paper of agenda, which are brought to its notice by the Clerk and the Master. 3. Next it considers Petitions for Casual Relief, and Funeral Allowances, to poor members and their widows. 4. Then it receives and discusses the Reports of the Standing Committees, "The Trusts," "The Estate," "Finance," and the Minutes of the Auditors. 5. Next come any special motions of which notice has been given. 6. Then applications for aid on behalf of various charitable and other institutions and bodies (any grant exceeding twenty guineas being made the subject of a notice of motion for a subsequent Court). 7. Next the Seal of the Company is affixed to any deeds or documents requiring it. 8. Then elections are made to any vacant posts, scholarships (boys and girls), exhibitions to the Universities and Colleges (including those for women) —the reports of the examiners being read and considered—almshouses, pensions, &c., &c. 9. General business.

The Court is composed of several clergymen, one or two barristers and solicitors, physicians, professors, architects, and men who are, or have been, engaged in business (including several who are, and whose families have for generations been, engaged in businesses, such as "calendarers" and "pressers," being subsidiary processes of the cloth-

working trade, and whose experience is very valuable), estate agents (whose practical knowledge is also very useful), and several gentlemen interested in science and art and antiquarian pursuits. By men so varying in professions and attainments, the different questions which arise at the Courts are discussed with great ability and moderation. Decisions are taken by show of hands (except the elections, which are always by ballot). The members of the Court are mostly connected with the Company by patrimony. Some few were originally admitted by "Redemption" or "Apprenticeship." There is no political or party influence or bias. The constitution of the Court is regulated by the byelaws last ratified by the judges in 1639. Clothworkers' Company.

The Company notices the charges brought, or suggested, against members of the Courts of the Companies by Mr. Firth, M.P., in his said work, and by some of the witnesses, that they vote themselves pensions, and make use of the charities or patronage for their own private benefit, and obtain leases of the estates at a low rental and relet them at a profit; only for the purpose of giving an emphatic denial to them. No liveryman, or member of the Court, can receive any pension or alms, without resigning his position and returning to that of a simple freeman. With reference to the case of a former clerk of the Company mentioned by Mr. Phillips (answers to Questions 1283—1316), the account given by him of the irregularities of which that person was guilty is correct (indeed it is, as stated by him, taken from the book of Mr. Alsager, published in the year 1838 for the use of the Court), but from those irregularities, and the exposure of them by Mr. Alsager, who became Master in 1836-37, great and lasting benefit has resulted to the Company, by the thorough investigation of their affairs and accounts, both as regards their Corporate and Trust property, which were then placed on a proper footing, the permanency of which was secured by the institution of Standing Committees. That clerk (Mr. Phillips is incorrect in saying that he was dismissed; he died in January, 1837) was able to take advantage of the influence and knowledge possessed by him in consequence of the permanency of his office, which he had held for many years, while the Master and Wardens, who were then the only executive body, only held office for one year and two years respectively, and were not able to acquire during those periods a sufficient supervisory knowledge of the Company's affairs. This was remedied by the creation of Standing Committees, consisting of the most experienced Members of the Court (the chief of them being "The Trusts and General Superintendence Committee" and "The Estate Committee"), one half of the members of which, including the Chairman, are more or less permanent, the other half being elected annually (the Master for the time being is *ex officio* a member of all the committees, but does not act as chairman). By means of these committees, including especially the Chairman and Master, and of the auditors, a constant and careful supervision is exercised over the clerk and the other officials, and over the affairs and accounts of the Company, which are now on the most excellent basis. The Master and Chairman of the Committees attend at the Hall generally twice a week at least, and a recurrence of any such improprieties is now rendered impossible.

VI. *As to the property of the Company and the Administration of it.*

(1) The Corporate Estate.

(2) The Trust Estate.

(1) As to the corporate property, the Company maintain, in contradiction to the witnesses (Messrs. Hare, Beal, and Phillips in particular),—

That it is not public property (so far as by that is meant property to

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or in which the general public or any section of the public outside of the members of the corporate body has any right or interest), and

That it is not subject to any trust, charitable or otherwise, but

That it is the absolute property in law of the Company.

In support of these propositions the Company rely

On the cases of "The Attorney-General against the Corporation of "Carmarthen," Cooper, p. 30, and "The Mayor of Colchester *v.* Lowton." 1, Vesey and Beames, p. 226, mentioned by Mr. Longley in answer to Question 350, in which cases it was held that every civil corporation (and not merely a municipal corporation) had full power at law to alienate its property, and the Court of Chancery had no jurisdiction to restrain such alienation.

On the case of "Dale *v.* Brown," referred to by Sir R. Cross in Question 976, and reported (though more shortly) in the "Law Reports of Chancery Division," p. 78, where it was decided by the Master of the Rolls, Sir George Jessel, that the existing members of the Company, Society, or Fellowship of the Fullers and Dyers of Newcastle were entitled to sell their property and divide the proceeds among them, to the exclusion of any inchoate or future right or expectation of membership.

On the statement of the present Lord Chancellor, in answer to Question 1684, that in point of law the Companies are, in his opinion, absolutely entitled to their property, and under no trust whatever; and the other subsequent statements by his lordship to the like effect.

On that of Mr. Hare, who, in answer to the Question (244) whether "he would consider when a Company was empowered to purchase land "contrary to the statutes of mortmain, and did so purchase it, being at "that time any active trade organization, that that ought not to be "available for the trade?" says, "No; it has been taken by the Company "and held by the Company during a long period, by which a title would "be gained by prescription;" and the reply of Mr. Longley to Question 330, on the admission by the same witnesses that the corporate property is not subject to any charitable use or trust.

On the precedents, in addition to that of the before-mentioned case of the Fullers and Dyers of Newcastle, established by the division by the Doctors of Doctors' Commons and the Serjeants-at-Law of their property amongst themselves; the case of Serjeants' Inn Mr. Phillips indeed attempted to distinguish from that of the Livery Companies, on the ground that they were not incorporated; but Lord Selborne, in his speech in the House of Lords, quoted by Mr. Phillips in answer to Question 1284, refused to accept incorporation as any test as to whether a body is public or private, and reiterates this in his reply to Lord Coleridge's Question (1686), while in his reply to Question 1680 he repudiates the inference drawn by Mr. Phillips from his said speech, that his lordship thought the Inns of Courts (which he did consider a public body) and the Companies are *in pari conditione*, saying that he does not think so at all.

Moreover and especially, the Company rely on the fact that they have for centuries leased, sold, and otherwise dealt with their corporate property without any interference. An instance of a sale occurs in their records as early as the year 1550, at which time they sold land at Greenwich belonging to them, as well as property in Queenhithe.

They have also frequently made sales under the compulsory powers of Acts of Parliament with the cognizance of the Court of Chancery, and their title has been laid before the most eminent conveyancers, including the Conveyancing Counsel of the Court, and approved by them

and the proceeds of such sales have been handed over to the Company without obligation of reinvestment. Clothworkers' Company.

In 1871 they sold their Irish estate.

Their corporate property in England was acquired by devises, made in very many instances after they had ceased to exercise the rights of control over trade, and in almost every case by members of the Company, who were well acquainted with the mode in which they dealt with their property, and by purchases made out of their own internal revenue and income, and as regards the large portion of their property known as the "Obit" or "Chauntry" lands, comprised in the Letters Patent of 4th Edward VI., A.D. 1550 (including their Hall), and those comprised in the Letters Patent of 17th James I., by purchase from the Crown of he charges existing thereon, and to these "Obit" or "Chauntry" lands they have a Parliamentary title under the Act of Parliament of 4th James I., A.D. 1606-7.

The following entry occurs in the books of this Company. *Vide Court 13th April*, 1607.

Towchinge the bill in the pliam^{t}. house for cleeringe the landes in question of concealement.

"This daie also S^{r} Henry Monntague, Recorder of "the Cittie of London came & declared to this Com- "pany that there is a Byll p̃ferred to the Parlyament "howse touchinge th'assurance of the landes & tene- "ments belonginge to the severall Companyes of this "Cittie, certen rents yssuinge out of w^{ch} said landes "and tenements lymited to supersticious uses were "purchased by the said sev^{r}all Companyes of Kynge "Edward the sixte in the fourthe yeare of his raigne. "The iudges and greatest Lawyers of this land then beinge of opinion "that onely the rents ymployed or lymitted to supsticious uses were the "Kynges. But not the landes whereout those rents were yssuinge yet "in these tymes the very landes have bynne & yet are in question. "And certen patentees in the tyme of the late Queene have gonne "about, and yet doe, to entitle the said late Queene and the Kynges "Ma^{tie} that now is to the said lands and tenements (onely for theyr "private gayne) as landes concealed from the Crowne, not earinge to "bereave a nomber of poore people in this Citty & elsewhere in the "Kyngdome of theyr beste and cheifest reliefe & mayntenance & by "means of those patentees have drawen from the said sev^{r}all Companyes "many greate somes of money for composicon wth the said patentees "for the said landes. The rents whereof the Companyes had formerly "purchased of the said late Kynge Edward the sixte. And so the "saide Companyes havinge payed fyrst to the Kynge & after com- "pounded wth the said Patentees for the saide rents and landes sev^{r}ally "for all the money they have departed with have at this pnte (of "assurance) neither rents nor landes. And thereuppon the said S^{r} "Henry Monntague shewed vnto the Company how beneficiall the "passinge of that byll in Parliament might be in generall to the whole "Cittie & in p̃ticular to every private Company. And did advise that "soe good meanes of peace and quiet for the establishinge of theyr "landes to them and theyr successors in succeedinge tymes was not to "be reiected but to be embraced. And wth all desired to know the "purpose and determinacon of this Company whether they wolde ioyne "wth the reste of the Companyes & contribute to the chardge of passinge "the said byll or desiste and stand vppon theyr owne defence. Where- "vnto it was answered that this Company althoughe they knew theyr "landes to be as cleare and free from question as any other Company "in London yet in respecte of the generall good w^{ch} (as is declared) by

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"possibilitie may come to the whole Cittie and to the Companyes "in pticuler they will not leave theyr bretheren but ioyne w^th^ them "in psequucon of the said Byll & in contribucon to the chardges "thereof after a reasonable rate accordinge to the proporcon of the "dannger they stand in case of concealement or purchase of rents lymited "to supsticious vses."

Lord Chancellor Cottenham, speaking of the Letters Patent of 4th Edward VI. and the Act of 4th James I., says in the case of the "Attorney-General *v.* the Fishmongers' Company" (Knesworth's Will), 5 Mylne and Craig's "Report," p. 16, "The result is that the Company, "by means of the Letters Patent and the Act, obtained all the title "which the Act 1 Edward VI." (for vesting in the Crown lands, &c., held for superstitious uses) "would have given to the Crown," and again in the "Attorney-General *v.* the same Company" (Preston's Will) 5, Mylne and Craig, p. 24, "It was immaterial whether the Crown actually "seized the land itself or only the rents, the Letters Patent of 4 "Edward VI., and the Act 4 James I., having had the effect of giving to the Company all that the Act of 1 Edward VI. gave to the king," and (at p. 18) "To dispose of rights or property upon any evidence, "however apparently clear, against a title and course of dealing of 400 "years, would be full of danger, and no judge, not destitute of that "degree of prudence and discretion which is essential to the administra- "tion of all system and law, but particularly to that of equity, would feel "justified in doing so, if any reasonable suggestion could be made recon- "ciling the history of transactions long since passed away with the "enjoyment of the property;" and he marked his sense of the impropriety of the institution of the information in that case by ordering the relators to pay the costs. In connection with this subject reference may be made to the case of "Peel's Will," in the year 1602, in the King's Bench, Duke 95, 4 Coke 113, "Duke's Charitable Uses," p. 469, in which the Crown claimed certain houses in London, devised by one Peel, *alias* Pele, to the Clothworkers' Company, to the intent that they for ever should pay to such priest as should pray for his soul in the Parish Church of Chilham, 9*l.* 6*s.* 8*d.* for his salary, adjudged that "the "king will not have the houses, for they were not given to find a priest "but to pay a priest a certain sum."

The Act of 2 William and Mary, referred to by Mr. Beal (answers to Questions 830-31), restored and confirmed to this, and the other Companies, all the lands, &c., "which they lawfully had, or had lawful "right, title, or interest of, in or to," at the time of the judgment in Quo Warranto in the 35th year of King Charles II. Mr. Beal lays stress on the word "lawfully" (which he erroneously states to be placed within inverted commas in the Act, but this is not so in the king's printers' copies of the statute), his suggestion being that, as the Companies had no lawful title to their estates at the time of the Quo Warranto, the Act gave them none. But for the reasons before stated, the Company had undoubtedly a lawful title to their estates at that time, and the Act gave a further Parliamentary sanction to such title.

It is necessary to mention one particular ground on which the allegation by the witnesses that the corporate property is "public" or municipal is attempted to be supported, viz., that the Companies form an integral part of the Corporation of London, and are in fact themselves municipal corporations, because—

(*a.*) No person could be a freeman of the City who was not a freeman of one of the Companies.

(*b.*) The liverymen elect the Lord Mayor and the other great

officers of the Corporation in Common Hall, and vote for the election of Members of Parliament for the City. Clothworkers' Company.

(*c.*) The Corporation exercises control over the Companies and their property.

(*a.*) Since 1835 it is not true that no one can be free of the City who is not free of one of the Companies. It is true that the freedom of the Companies carries with it an inchoate right to the freedom of the City, but it is not obligatory on freemen of the Companies to take out the freedom of the City. By Act of Common Council, passed the 9th of March, 1836, it was enacted that the apprentices of such of the freemen of the City as are not free of any society, guild, fraternity, or company of the City, shall, being bound before the Chamberlain of the City, according to the forms of the indenture of apprenticeship for apprentices of the City and duly enrolled, according to the custom of the City, at the expiration of the apprenticeship, be admitted to the freedom of the City.

(*b.*) It is true that the Liverymen are entitled to vote for the Lord Mayor, the Sheriffs of London and Middlesex, the Chamberlain, Alecconners, the Bridgemasters, and the Auditors of the Bridge House accounts. (Under 11 George I., c. 18, § 1.) But they do not elect the Aldermen, the Common Councilmen, or the Town Clerk and other municipal officers (being precisely the officers whom, if they had formed part of the municipality, they would have been entitled to elect). They are also entitled to vote for Members of Parliament for the City, but the franchise is restricted to such of them as are free of the City, and have been so for one year, and reside within twenty-five miles of it, and have paid their livery fines, and have not received back such fines in part or all, or had any allowance in respect thereof, or within two years before have requested to be, and have been, discharged from paying taxes, or within that time received alms (Pulling's "Laws of London," p. 83 *et seq.*). This franchise is properly referable to the property qualification possessed by the liverymen by their being interested in property within the City (which is a county of itself) in their own corporate right, and is analogous to the 40*s.* freehold franchise in counties. For the City of London is a county of itself, and therefore has its Sheriffs, its Lieutenants, its County Court or hustings, and other institutions similar to those in other counties (Pulling, p. 16, *a*). The Lord Mayor derives the office of Lieutenant or Viceroy from the Crown, and he has all the powers of a Lord Lieutenant within his county (Pulling, p. 19). The officers for whose election the liverymen vote are likewise county officers, just as freeholders of a county still elect the "Coroner." Some of the Companies have no livery.

(*c.*) It may be true that the Court of Aldermen, as magistrates, did claim to exercise some sort of irregular control over the Companies. For instance, by an order of the Court of Aldermen, dated the 27th of July, 1697, it was directed that "no person should for the future "be called to take upon himself the livery of any of the twelve higher "Companies, who was not possessed of an estate of 1000*l.*, or of those "of the inferior Companies unless he was possessed of an estate of "500*l.*" But, in the case of the "Vintners' Company *v.* Pafrey," 1 Burr, 235, this order was pleaded and was demurred to, and was afterwards given up on the ground that it was not known what authority the Lord Mayor and Aldermen had to make the order. It may be true likewise that when in the times of irregular taxation and exaction of money by the Crown (e.g. "ship money") the sovereign made a requisition on the City for money, the Lord Mayor sent a precept to

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the Companies to furnish their quota. But the Crown often made a requisition, not through the Corporation, but directly, on particular Companies, to furnish money. Herbert mentions many instances of this having been done by Queen Elizabeth and other sovereigns.

But it is admitted by Mr. Beal and Mr. Phillips, there is no known instance of interference on the part of the Court of Aldermen with the property of the Companies during the last 200 years. Mr. Beal, indeed, was by Question 824 asked by Mr. Firth, M.P., "Have you read the "decision in the case of the refractory Companies in 1775, when between "the Corporation and the Goldsmiths' Company the question was con- "tested?" and replied "Yes." He was then asked, "What was the "effect of that decision?" to which he answered, "The Companies were "found to be in the wrong, and that they were an integral part of the "Corporation, and it is fully set out in your own book, 'Municipal Lon- "'don.'" This is a serious misstatement of the fact. The passage referred to is in "Municipal London," p. 43, where it is stated by Mr. Firth that although the Common Hall is now only called together for election purposes, there appears but little doubt but that it might be convened for other purposes, and in the note (*) he adds:—"This would seem to have "been finally settled in the case of the trial of the refractory Companies "in 1773, when the Warden of the Goldsmiths' Company was success- "fully prosecuted in the Mayor's Court for inattention to a summons to "Common Hall on other than election business" (*vide* report of this case *Lawyer's Magazine*, July, 1773). It is true that such a decision was obtained in the Mayor's Court on the 14th July, 1773, in proceedings by the Common Sergeant of the City of London, plaintiff, and Samuel Plumbe, Esq., Prime Warden or Master of the Company of Goldsmiths, defendant (it is also reported in the "Annual Register," vol. 16, pp. 188-91), but Mr. Beal and Mr. Firth ought to have known that this decision was not "final," but was reversed on appeal in the year 1775. This appears in Herbert's well-known book on the twelve great Companies (p. 55, note), where he says:—"Ever since Alderman Plum- "ber's [Plumbe's] case in 1775, who was Master of the Goldsmiths' "Company, and refused to attend a Common Hall on the precept "of the Lord Mayor (Beckford) to present to the Crown a petition "for redress of grievances (and which refusal was sanctioned by the "Court of King's Bench), several of them have uniformly declined to "attend Common Halls unless for election purposes." The Lord Chief Justice de Grey is reported as having stated in his judgment on the appeal, "Thus far we know that the constitution of the City of London "does not contain these Companies." In fact, the constitution of the City consists of three distinct branches, viz., the Lord Mayor, the Court of Aldermen, and the Court of Common Council, which have been compared to the three branches of the British Constitution ("Pulling's Laws "of London," p. 16, *a*), and in the Chamberlain of London's case, Leonard, parts 3 and 4, p. 264, it was laid down by Fleetwood (Justice) that "The custom of the City is that the Mayor and Aldermen, and four "persons chosen out of each Ward by the Commonalty, may make or- "dinances which they call Acts of Common Council, and they shall "bind every citizen and freeman," and that the Companies do not form part of the constitution of the City, though they are no doubt intimately connected with it, appears from the notable fact mentioned in "Hume's "History of England" (vol. viii. p. 308), that the Convention summoned after the final flight of James II. was composed of all the members who had sat in the House of Commons during any Parliament of Charles II., and to them were added the Mayor, Aldermen, and fifty of the Com-

mon Council, which was regarded as the most proper representative of the people that could be summoned. Clothworkers' Company.

As is mentioned by Mr. Beal (answers to Questions 701-4), at the time of the passing of the Municipal Corporations Act, 1835, the Companies were unanimously advised by high legal authorities (Lord Abinger (then Sir James Scarlett), Sir William (then Mr. W. W.) Follett, and Mr. W. R. Rennall) that they were not municipal corporations, and it is difficult to understand how they could be so, as they are not a city or a borough.

It is right particularly to refer to the argument put forward by Lord Coleridge (in Questions 350 and the following ones) that the Charters of themselves constitute a trust. His Lordship asks Mr. Longley (Question 350) whether it has ever been decided that the charters constitute no trust. Mr. Longley refers to the "Attorney-General *v.* The "Corporation of Carmarthen," and the "Mayor of Colchester *v.* Lowton." His Lordship says (No. 351): "That does not quite answer my question; "those are municipal corporations. I am supposing the case of a corpora-"tion created by charter for a particular purpose not invested with "municipal authority or a municipal corporation, but a corporation with "a special object, has it ever been decided that the charter so creating "them and pointing out to them that object, creates no trust?" Mr. Longley replies that he is not aware of any authority on the point. It is submitted the more proper form of question would have been, "Has it "ever been decided that the charters constitute a trust?" to which the answer must be in the negative, the absence of any such decision affording the strongest inference against the existence of any such trust. But taking the question as Lord Coleridge put it, it is answered by the present Lord Chancellor, Lord Selborne, who, in his before-mentioned reply to Question 1684, states that they, the Companies, are, in his opinion, absolutely entitled to their property, and under no trust whatever, and in his answer to Question 1699, speaking with regard to the charters of the Mercers' Company, says that any general trust upon those charters for charitable purposes he is quite satisfied does not exist, and to Question 1700, with regard to the particular charter of the Mercers' Company, 17 Richard II., the form of which has generally been supposed to be most open to the construction of creating a trust, says that that was not an incorporation for charitable purposes.

This Company desire to refer to these authoritative statements of the Lord Chancellor, which are at least equally applicable to their charters, not one of which contains any expression capable of creating such a trust.

Mr. Phillips, in answer to Question 1386, says that he does not know that the question has been raised before the Courts whether the corporate property of the Guilds is trust property or not. However, as regards the Clothworkers' Company, the question was recently raised before Mr. Justice Fry by the Metropolitan Board of Works, who opposed the application of the Company for payment out of Court to them of money paid in respect of part of their corporate property at Islington, taken by the Board under their compulsory powers, on the ground that it was trust property. That opposition was overruled by his Lordship, who ordered the money to be paid to the Company as being absolutely entitled. But while claiming to be absolutely entitled at law to their corporate property, and even to have the right, with the assent of the existing members, to divide it, the Company admit the moral responsibility resting on them in common with all other landowners in respect of it, and are willing to recognize a special responsibility similar to that rightly imputed to the great feudally descended landowners, especially those taking their root of title from Church lands.

Clothworkers' Company.

As to the administration of the corporate property of the Company:—

Yearly sums amounting to nearly two-thirds of the income of the Company are expended—

In disbursements supplemental to Charity Trusts (eleemosynary, educational, or otherwise).

Annuities and Aids to Decayed Liverymen, Widows, &c.

Donations and Subscriptions voted at Courts.

Schools.

Exhibitions and Scholarships.

Technical and General Education (on which up to 1880, the date to which their returns are made up, the Company had expended 90,000*l.*, and have since expended much more.

Higher Education of Women.

No charge is made against the trusts for administration, office, or estate expenses, which are paid out of the corporate income. And as part of their provision for technical education they have completely finished, at a cost of 15,000*l.* and an annual subsidy of 1250*l.* and upwards, their own Textile and Dyeing Department of the Yorkshire College, at Leeds (the only portion yet built), where the actual processes of weaving, both by hand and by power loom, and dyeing and other processes connected with the cloth manufactory are taught, not only scientifically by lectures, but by practical manual instruction and work, and they have lately given 500*l.* towards the establishment of a scholarship in commemoration of the late President of the College, Lord Frederick Cavendish, who was a member of the Company.

They have given 3000*l.* to the Building Fund, and 300*l.* per annum to the Maintenance Fund, of the Technical School at Bradford, which was opened by the Prince and Princess of Wales last year. They have made large subscriptions for the establishment and maintenance of similar schools at Huddersfield and Keighley. They have founded lectures in connection with technical education at Bristol, Stroud, and the seats of the cloth industry in the west, and also at Glasgow; and they subscribe a yearly sum for the working artisans in the cloth trade at Batley, in Yorkshire, on condition of an adequate local subscription, and they are now going to submit proposals to the Dewsbury Chamber of Commerce for extending and improving the facilities for technical instruction in that town.

They also, as is mentioned by Lord Selborne (answer to Question 1682), in the year 1873, took part in the initiation of the City and Guilds' Technical Institute, to which they make large subscriptions; they also have encouraged excellence of workmanship in cloth manufacture and dyeing, by giving medals in connection with the recent exhibitions at the Crystal Palace and Bradford.

As regards general education, they have established a scheme for making grants in aid of the education of poor members, whether freemen or liverymen, mainly based on competitive examination, subject to the attainment of a high standard, and have established exhibitions at the North London Collegiate and Camden Schools for Girls, to which a wing, called "Clothworkers' Hall," has been added, the Company paying more than half the expense (3100*l.*) out of their corporate income, the rest from funds applied under Sec. 30 of the Endowed Schools Act, 1869; cf. also P. Christian's (Isle of Man) School.

They have also given large donations and yearly subscriptions to Girton College, Newnham Hall, and Somerville Hall, Oxford, for the higher education of women, where there are open exhibitions of considerable value.

Clothworkers' Company.

The Company wish specially to refer to the Thwaytes' Bequest, which is frequently mentioned by the witnesses. Mr. Thwaytes, by his will, dated 24th of March, 1831, left 20,000*l.* to the Company to provide pensions of 10*l.* for the blind, which sum (after deducting legacy duty) is now invested in the sum of 19,591*l.* 16*s.* 9*d.* stock, standing in the name of the Official Trustee of Charities, producing the income of 587*l.* 15*s.*, whereas the Company maintain 100 pensioners at 10*l.* per annum (in the whole 1000*l.*), charging the deficiency to their corporate income.

Mr. Thwaytes likewise "left other 20,000*l.* to be laid out in the way that "may tend to make the said Society comfortable."

The Company hold one of their Livery dinners in commemoration of Mr. Thwaytes, and the balance of the fund is applied for the general purposes of the Company, including the supplemental pensions to the blind above-mentioned. The remains of this and the other dinners are distributed to the poor alms-people.

(2) As to the Company's Trust Estate.

In many instances the Trust Charity property consisted of rent-charges issuing out of the corporate estate of the Company. These the Company, in the case of Lute's Charity and a great many other charities specified in the table of charities set out in the Company's returns, have redeemed, with the sanction and under the orders of the Charity Commissioners, made in pursuance of sections 23 and 25 of the Charitable Trusts Act, 1853, by which the Commissioners are empowered conclusively to sanction compromises of claims on behalf of charity and redemption of rent-charges by the payment of sums of stock into the name of the official trustee of charitable funds.

This explains the discrepancy between former returns and reports and the present returns of the Company, the amount of the charitable trust personal estate of the Company being increased, and that of the real estate being diminished by such redemptions. It is suggested by Mr. Beal that it was very well to redeem the rent-charges, but that it did not follow that the surplus rents of the properties on which they were charged do not belong to the charities. It is a sufficient answer to this that the Charity Commissioners, who necessarily had the titles to those properties laid before them, would not have sanctioned the redemption if they had considered that the whole of the property belonged to the Charity, but would have applied to the Attorney-General to take proceedings to enforce the right of the Charity. The question as to whether under devises or gifts a specific or definite portion only of the rents of property is given to charity, and the surplus belongs to the Company, so that the Company and not the Charity is entitled to the benefit of the increase in value of the property, or whether the whole of the rents, or of the surplus of them, after answering charges, are devoted to charity, is one depending on the construction of the particular instrument, and has given rise to much litigation. But out of 100 cases, about eighty (see Question 919) have been decided in favour of the Companies, and only about twenty in favour of the Attorney-General. Many of these cases are not reported in the Law Reports, but it is believed that the Charity Commissioners have a record of them.

The cases in which the Attorney-General succeeded include those referred to by Mr. Beal of the Attorney-General *v.* The Wax Chandlers' Company, "Law Reports and Equity," 452, 5 Chancery, 503, 6 House of Lords' Cases, 1 (which could not have been so clear a case as Mr. Beal represents, since Lord Romilly and Lord Hatherley both decided in favour of the Charity; and Lord Hatherley again refers to it as presenting features of difficulty in Kendal's case), and the case of The Merchant

Clothworkers' Company.

Taylors' Company *v.* The Attorney-General, 6 Chancery, 512 (Kendal's case), and the Attorney-General *v.* The Drapers' Company, 4 Beavan, 17.

The cases in which the Attorney-General has failed include those of

The Attorney-General *v.* The Haberdashers' Company, 4 Brown, Chancery Cases, pp. 101—103.

The Attorney-General *v.* The Mayor of Bristol, 2 Jacob and Walker, 295.

The Mayor South Molton *v.* The Attorney-General, 5 House of Lords' Cases, 1.

The Attorney-General *v.* The Skinners' Company, 2 Russell, 417.

The Attorney-General *v.* Smithics, 2 Russell and Mylne, 717.

The Attorney-General *v.* The Cordwainers' Company, 3 Mylne and Keen, 534.

The two cases of The Attorney-General *v.* The Fishmongers' Company (Kneseworth's Will) and Preston's Will, 5 Mylne and Craig, 11—16.

The Attorney-General *v.* The Grocers' Company (Laxton's case), 6 Beavan, 526.

The Attorney-General *v.* Brazenose College, 2 Clark and Finneley, 295.

Many of the Clothworkers' Charitable Trusts are administered under schemes of the Court of Chancery, the Endowed Schools Act, 1869, and of the Charity Commissioners obtained at the instance of the Company, for example (amongst others), Burnell's and other benefactions, Hitchin's Charity, Hobby's Charity, Lute and Middlemore's Charity, and all the funds constituting the Company's Trust Personal Estate (which is particularized in the Company's returns) are placed in the name of the Official Trustee of Charities. These facts show that the reluctance imputed by Mr. Hare and Mr. Longley to the Companies to resorting to the Charity Commissioners does not exist on the part of the Clothworkers' Company; on the contrary, they have been anxious to avail themselves as largely as possible of the assistance of the Commissioners. Lambe's Islington Charity is administered under a private Act of Parliament (Lambe's Chapel and Estate Act), passed with the co-operation of the Charity Commissioners. As before mentioned, the Company defray out of their corporate income the expenses of the administration of the Charitable Trusts, and they do not even accept the five per cent. for rent collection as receivers allowed by the Court of Chancery and the Charity Commissioners, and they also largely supplement the charitable gifts out of their corporate income.

The Company desire specially to mention the case of Middlemore's Charity, as that is referred to by Mr. Lucraft in his evidence. Samuel Middlemore by his will, dated 24th October, 1628, bequeathed the sum of 800*l.* to the Company upon trust to purchase lands to the yearly value of 40*l.*, which was to be applied in clothing for the poor. The Company endeavoured to procure such a purchase, but did not succeed in doing so in consequence of the difficulty of finding land to produce such an income, and of the further difficulty interposed under the Statutes of Mortmain, there being at that time mesne lords whose rights could not be defeated by the Crown's licence to hold land in mortmain. They therefore retained the money, paying out of their corporate income the yearly sum of 40*l.*, being the interest on it at five per cent., which they gradually increased to 70*l.* and 80*l.* By the decree of the Court of Chancery made in a suit commenced in 1833, it was ordered that this Charity and that of John Middlemore (the son of Samuel), who bequeathed 100*l.* for similar purposes, should constitute thereafter a charge of 45*l.* per annum upon the Company. Recently under order of the

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Charity Commissioners, dated the 16th November, 1877, the Company transferred the sum of 1500*l.* Consols into the name of the Official Trustee of Charities in satisfaction of this charge of 45*l.* This stock has recently been sold out and reinvested in the purchase of ground rents at West Hackney amounting to 62*l.* per annum (with large increase in reversion). These Charities, together with Lute's Charity, are administered under a scheme, dated January, 1878, framed by the said Commissioners, in co-operation with the Company.

VII. *Reform.*

The Company reserve and claim the benefit of the protest contained in Part V. of their returns. But, irrespective of that protest, they would not consider it to be their duty to offer suggestions on this head. They would refuse to enter into a discussion of the schemes (which, as suggested by Lord Sherbrooke, are of doubtful public utility) for the appropriation of the property of the Companies propounded by Messrs. Hare, Beal, and Phillips.

They would decline to anticipate that the Commissioners would recommend to the Legislature, or that the Legislature would sanction a measure for depriving the Companies of their property, as proposed by the two latter gentlemen. Such a measure would, in their view, be an act of confiscation which would shake the rights of property of every description, certainly the rights of the owners of property derived under grants of Church property, or of the possessions of the dissolved monastries, nor would they contemplate the possibility of any measure for taking away from the Companies the control over their estates.

But any suggestions made by the Commissioners themselves would meet with the respectful consideration of the Court of this Company. They, however, point out that the purposes to which the Corporate income is now applied, general education (lower and higher), technical education, support of hospitals, dispensaries, and other charitable and benevolent and scientific institutions, are the very objects the adoption of which is advocated by the more moderate of the witnesses. The Company would not think that it would be for the public benefit that they should be subjected by the Legislature to any hard and fast rules of administration.

To two suggestions which have been made they would readily assent, viz.:—

One, which regards their corporate property, that it, in common with all other property held in mortmain in the kingdom, should be subjected to succession duty at intervals of thirty years or thereabouts, corresponding to a generation or an annual tax in substitution thereof.

The other, which regards their Charitable Trust Estate, that increased power should be given over charities to the Charity Commissioners on the lines laid down by Mr. Longley in the course of his evidence, subject to minor differences.

CLOTHWORKERS' COMPANY.—FURTHER OBSERVATIONS AND SUGGESTIONS.

Trade.

The Clothworkers' Company have never spent other than a trifling proportion of its revenues on any trade purposes, even in the time when the trade organization was in a more or less vigorous activity. And little or nothing was ever left or given for purposes connected with trade

Clothworkers' Company.

otherwise than as express charitable trusts, i.e. loans and apprentice fees. Moreover, such expenses out of the corporate funds as may be said to have been connected with the trade were mainly petty disbursements on account of searches for bad workmanship, including often the cost of a dinner at a tavern or the Hall after the day's inspection. The decay of the Companies' connection with their trade is well explained and illustrated by the well-known passage from Froude's "History of England," vol. i. pp. 50—62, previously referred to.

Any scheme for resuming or constituting a direct connection with trades is impracticable, as it would result in favouring some trades to the exclusion of others, and especially must leave out of its scope the great coal and iron and textile manufacturing industries of the country. Such a scheme would also be quite irreconcilable with the present industrial organization of the country; but in expending a considerable and increasing proportion of its income in technical instruction as connected with "clothworking" and the textile industries, and also (through the medium of the City and Guilds of London Institute for the Advancement of Technical Education) with the commercial and manufacturing interests of the metropolis and the country generally, the Clothworkers' Company of the present day conceives that it is acting in a spirit of *cy-près* to that of its ancestors, who were more closely connected with the trade from which the Company took its designation.

Entertainments.

The following feast days seem to have been observed at Clothworkers' Hall from ancient times :—

Feast of Our Lady, 25th March.
Feast of St. John the Baptist, 24th June.
"Election Day," St. Peter ad Vincula } Venison
Confirmation Day (August) } feasts.
Feast of St. Michael, 29th September.
Lord Mayor's Day, 9th November.
St. Thomas's Eve and Christmas.

Among special entertainments may be mentioned that given in the time of the Commonwealth to Lord General Monk, his friends and field officers, on the 13th of March, 1659, which cost about 200*l.*

A great deal of plate has been given to the Company by members, but in 1643 much was sold, as has been stated in the returns, and *vide Court, 7th September*, 1643.—"This day also this Court takinge into "their sad and serious consideracons the many greate pressinge and vgent "occasions w^ch^ they have for money as well for the paym^t^ of their "debts as otherwise. And consideringe the danger this Citty is in by "reason of the greate distracons and civill warrs of this Kingdome Have "thought fitt and so ordered that y^e^ Stoek of Plate w^ch^ this Company "hath shall be forthw^th^ sold at the best rate that will be given for y^e^. same. "And to this end it is ordered and Tho^s^ Austin Esquior and Mr. Ralph "Hough are hereby requested w^th^ the p'sent Wardens or any two "of them whereof Mr. Warden Hutchins to be one to take the said "plate upon accompt by Indenture from Mr. Philpott the late Quarter "Warden in whose possession the said plate is and to expose the same "at the best rate (except only such p̃ticular p̃cells thereof as in "their discretions shall seeme meete to be reserved for the necessary use "of this Company) and that before the same be sold they cause a "p̃ticular to be made in wrytinge p̃ticularly of all the said p̃cells "of Plate so to be sold *w^th^ the fashion the weight and the severall* "*Donors names To the end that the same may be repayred and made*

" *good in statu quo when God shall enable this Company so to doe* Clothworkers'
" *The w^ch this Court doth commend to posterity as an Act which they* Company.
" *earnestly desire may be don* And whereas this Company vpon their
" Comon Seale oweth to the said Mr. Hough £300 more w^th interest
" And it is further ordered and agreed that Mr. Robert Hutchins
" the p̃nte Quarter Warden shall receave the moneys for w^ch the
" said Plate shall be sold and shall thereout pay vnto the said Mr.
" Austen and Mr. Hough their said severall debts of Three hundred
" Pounds a peece w^th such interest money as shall appeare to be due to
" them for the same and thereupon to take up the sev^rall obligac̃ons
" given vnto them by this Company vnder their Com̃on Seale for
" y^e payment thereof And the remaynder of the said money together
" with remaynder of the Plate which shall not be sold to keepe and
" deteyne in his hands for the use of this Company or otherwise to be
" accomptable for y^e same.

" *Court, 11th September,* 1643.—This day also this Court was
" informed by Mr. Hough the p̃^rsent M^r. and by Thomas Austen Esquior
" that in pursuance of an Order of the 7^th of this moneth They w^th the
" ass^ce of Wardens of this Company had made sale of 2068 oz. Plate
" pcell of the plate belonginge to this Company viz^t 1159 oz. of guilt
" at 5*s.* 2*d.* p̃ oz. w^ch came to £299 8. 2. and 242 oz. pcell guilt at
" 4*s.* 11*d.* w^ch came to £59 9. 8. and 667 oz. of white @ 4*s.* 10*d.* w^ch
" came to £161 3. 10. In all £520 01*s.* 08*d.* And that they have
" reserved unsold for the vse of this Company 1239 oz. ¼ of the said
" plate which sale so by them made was very well approved of allowed
" and confirmed."

The Court lately (1881) passed an order in pursuance whereof a list of the plate presented to the Company in 1643 was compiled from various sources, and it will become a question whether it should be replaced in accordance with the recited orders of Court.

All the Company's ornamental plate is the gift of private members.

Charities.

A slight modification of the Charitable Trusts Bill of 1881, as accepted by the House of Lords, would go far to give the powers reasonably required for the strengthening of the Charity Commission, so as to bring about the gradual adaptation (subject to necessary safeguards and rights of appeal on the part of trustees) of obsolete and more or less worn-out and useless charities to the requirements of modern life and civilization, *e.g.* such educational charities as apprentice fees might often be converted into scholarships or bursaries from public elementary schools for girls and boys of exceptional promise, whereby their education might be continued in higher schools of successive grades, ending in the Polytechnic or Central Technical Institute. Moreover, such other charities as are specified in Sect. 30 of the Endowed Schools Act of 1869 might often be converted and made applicable to purposes other than educational, as provident dispensaries, provident societies, and other premiums or incentives towards encouraging provident habits.

BARBERS' COMPANY.

4, Warnford Court, Throgmorton Street, E.C.
8th February, 1883.

Sir,—The attention of the Barbers' Company having been called to the statements of Mr. Lucraft before the Livery Companies' Commission

Barbers' Company.

respecting Baneks' and Ferbras' Charities (printed evidence, thirteenth day), I am instructed by the Court to make the following remarks, and in so doing to express their surprise that Mr. Lucraft ventured upon making statements respecting their Charities before satisfying himself as to their correctness.

1st.—As to Banckes' Charity.

The Company beg to refer the Commissioners to the Returns of the Mercers' Company, "Part 1, Return 2, Baneks' Charity." From these Returns it will be seen that the statements made by Mr. Lucraft are totally incorrect.

It will further be seen that since the year 1855 the Barbers' Company have received nothing in respect of this Charity. Notwithstanding this, the Barbers' Company continued to distribute to their poor, beef, loaves of bread, and money, until the year 1868, when the balance due to the Company from the Charity amounted to the sum of 66*l.* 19*s.* 9*d.*, at which sum it still remains. The Court anticipate receiving no income from the Mercers' Company from the estate at Holloway until the year 1887 or 1888, when it is hoped that the debt to the Mercers' Company, as specified in their Returns, will have been extinguished, and that the Barbers' Company will then be in receipt of their one-seventh share of the ground rents (after providing for the fixed payments) amounting to the sum of 40*l.* per annum or thereabouts.

2nd.—As to Robert Ferbras' Will.

It is not the fact that Robert Ferbras devised two freehold houses in Dowgate Hill for the benefit of the poor members of the Company: he devised the houses to the Company upon trust, after doing repairs, to divide one moiety of the surplus receipts among the poor.

It is not the fact that for nearly 400 years the Company applied the income to their own corporate funds: on the contrary, for many years prior to the year 1848 they applied more than the income of the moiety, then about 20*l.* per annum, in payments to quarterly pensioners subsequent to that date. The accounts have been rendered to the Charity Commissioners, to which I beg to refer you.

I am, &c.,
H. Grose Smith.

H. D. Warr, Esq.,
City of London Livery Companies' Commission,
2, Victoria Street, S.W.

COACHMAKERS' COMPANY.

The Hall, Noble Street, E.C.,
26*th January*, 1883.

Sir,—In answer to the inquiry contained in your letter of the 23rd of November ult., whether the Worshipful Company of Coachmakers and Coachharness Makers wish to call any witnesses before her Majesty's Commissioners before they make their Report, I beg to inform you that I have submitted your letter to the Court of my Company, together with copies of the printed evidence already received by her Majesty's Commissioners; and as this Company has not, like some other Companies,

Coachmakers' Company.

been pointedly attacked by any of the witnesses, the Court has, subject to the few observations hereinafter contained, instructed me to inform you that, so far as they can at present see, they have no intention to produce any witness, but at the same time they are willing to answer in writing any further questions which her Majesty's Commissioners may think fit to ask, but subject, of course, to the same protest as was annexed to their original returns.

The observations which I am respectfully to submit to the consideration of her Majesty's Commissioners divide themselves into two heads. 1st. It seems to have been assumed that the Companies hold their "corporate property," as distinguished from their specifically "trust property," upon some trust, expressed or implied, for the benefit of the craft with which the name of the Company is associated, and that such corporate property has been acquired either by will or deed of gift; and, 2ndly, that the members of the various City Companies are disconnected with and have no interest in the craft supposed to be represented by the Company. Now, as to the first point:—on carefully perusing the Charter 29, Charles II., 31st May, 1677, there is no single trust, charitable or otherwise, contained therein; the Company only had certain powers conferred on them for regulating the trade, and they never had any property given, devised, or bequeathed to them from the date of their Charter to the present time. In the year 1703 this Company bought of the Scriveners' Company their hall; and, to enable this Company to pay for it, 109 members of the Company (this shows that this Company has not much increased, as it has only about 120 at the present time, and it can scarcely be supposed that all the members contributed) subscribed various sums, amounting in the whole to 2030*l.* 7*s.* 6*d.*, and a list of the donors is still preserved in the present hall; and in 1843 a further sum of 257*l.* 10*s.* was subscribed by the then members of the Court to refurnish such hall. In the year 1867 the hall and all the old buildings were pulled down, and the present hall was built by the Company, and the surplus land was let for building purposes; but to enable the Company to build the new hall they had to mortgage the whole of the property they had so bought in 1703 for 3000*l.*, and such mortgage debt is still due, and may be called in at any time. From the above short statement it is clear how the Company acquired their present property; and if it be not corporate property, then it must belong to the representatives of the original donors rather than for public trusts.

As to the second point, namely, that the Companies are now disassociated from their trades.—On careful perusal of the books of this Company I find that the master coachmakers of London have from the date of the Charter to the present time always been a majority or been largely represented on the Court of the Company; and as such Court is recruited from the Livery, it must, I think, be assumed that the majority of the Livery have been connected with the coachmakers' trade, or, at any rate, with kindred crafts; and out of a present Livery of 120 members, seventy are connected with the trade of which the Company bears the name, and out of a Court of twenty-seven members, nineteen are master coachbuilders, or otherwise connected with the trade, and it often happens that the Master and Wardens are all master coachmakers. Indeed, this Company is entirely identified with the trade; and this is proved by the efforts they have made both by exhibitions of carriage and other drawings at their hall, and the Mansion House, and at the Baker Street Bazaar, and for the prizes they have continuously offered, and the support they have continuously given in the case of technical education, and by admitting master coachmakers not only from London, but throughout the whole of the United Kingdom. Thus the Company exercises an influence over

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the whole of the trade (see Question 620), and is considered in England and Europe and in the United States as representing the trade; and in all the International Exhibitions of Industry, whether in England or elsewhere, more than one member of the Court has been appointed on the juries to adjudge the merits of carriages exhibited. It is from the fact of the Company being so intimately and closely connected with the trade that they, unlike many other Companies, have not been compelled to call in extraneous aid, but have been able not only to offer but to award their prizes free of the expense of skilled examiners, and their awards have met with general satisfaction in the trade. Further, as knowing the wants of the trade, this Company has preferred to support technical education in the midst of the workshops, rather than to support the City and Guilds' Institution at a distance, where the workmen could not or would not go, as by so doing they were able to teach the workmen how to use their hands in the day, and how to acquire science and theory in evening classes (thus coinciding with Mr. Lucraft's evidence, thirteenth day).

Although this Company has no charity foundations, yet they do not ignore charity, and support, so far as their means allow them, charities in connection with the trade, and give donations and sometimes pensions to the indigent connected with the trade. They have occasionally extended their charity outside the trade.

In any Report which her Majesty's Commissioners may make on this Company, my Court hope that the above observations may be carefully considered with the original return sent in by this Company.

I have, &c.,
H. T. Nicholson, *Clerk.*

H. D. Warr, Esq.,
Secretary City of London Livery Companies' Commission,
2, Victoria Street, Westminster.

HORNERS' COMPANY.

STATEMENT.

The Points to which the Deputation of the Horners' Company of London desire to refer on their attendance before the London Livery Companies' Commission on the 2nd of May, 1883.

Referring to Return F., sent in by the Horners' Company to your Commissioners, in which it was stated that the income of the Company had been almost stationary during the last ten years, but, in consequence of the sale of the Company's property, the regular income would be increased by it to the amount of 33*l.* or thereabouts; and to Return M., which states that the small income of the Company had prevented them from doing anything to subsidize or encourage general or technical education, but they were in hopes, as their income increased, that they would be enabled to take steps for encouraging the manufacture of horns; the Company, acting on this desire, held, on the 18th, 19th, and 20th of October, 1882, with the permission of the Lord Mayor, an exhibition of articles, ancient and modern, British and foreign, made of horn, or of which horn is a component part, at the Mansion House, London. Prizes were offered to exhibitors, being members of the trade. Due notice was

given of the Exhibition through the medium of the public papers and the circulation of a prospectus, the result of which was that considerable interest was evinced, not only by the trade, but by private owners of articles both ancient and modern, and a collection of works of art of a very interesting and instructive nature was obtained by great efforts, and the Exhibition attracted so much public interest that, with the permission of the Lord Mayor, it was allowed to continue open for an extra day (Saturday), and during the four days about 7000 persons visited the rooms. Horners' Company.

A printed list of the prizes offered accompanies this Statement.

The whole of the prizes offered to members of the trade were awarded, except the second prize in Class 4, the two prizes in Class 5, and the prize for dark pressed horn in Class 6.

Among the trade exhibitors were Messrs. S. R. Stewart and Co., of Aberdeen, whose comb works are the largest in Europe. They took a very considerable personal interest in the Exhibition, and sent a very large case of varied objects. Mr. David Stewart, a member of that firm, has, in consequence of the Exhibition, joined the Horners' Company, and has been admitted on the livery. He undertook the office of judge, and his firm did not therefore compete for prizes.

Messrs. J. F. Kain and Son, of 1 and 2, Fleur-de-Lys Street, Norton Folgate, London, workers in horn and ivory, took the first prize in Class 1. One of their members has also joined the Company, and has been admitted on the livery.

Among the exhibitors from private collectors were many articles of high archæological interest; several members of the Society of Antiquaries and other archæological societies having sent articles from their private collections. This portion of the Exhibition excited a great deal of interest, particularly among antiquarians, and so valuable were the articles entrusted to the Company that it was considered advisable to revise the catalogue after the Exhibition had closed, to make a permanent record of the Exhibition. A revised copy of this catalogue accompanies this Statement.

Among the exhibitors, her Majesty was graciously pleased to send from her Windsor collection a very interesting collection, after the return of which it was resolved by the Court of the Company to apply, through the Secretary of her Majesty's Privy Purse, to be allowed to present her with a copy of the catalogue and a history of the Company, which has been written by one of the members of the Court, bound in horn, in acknowledgment of her Majesty's gracious condescension in lending her articles for exhibition; and it was also considered a favourable opportunity of illustrating the applicability of horn for the purpose of bookbinding. Her Majesty accepted this proposal, and the Company, in furtherance of their desire to promote technical education, offered a prize for the best design for the purpose to the National Art Training School, South Kensington; the result of which has been that a very beautiful design has been chosen from a number of competitors, and is now in the hands of Messrs. S. R. Stewart and Co., to be executed in horn work, and, when completed, it will be presented to her Majesty.

Owing to the novelty of the Exhibition, and its being entirely of a tentative character, the Company undertook the whole expense, which has prevented them from taking further action this year in promoting the interests of the trade, but the experience which they have had from the result of the Exhibition has satisfied them that much good has been done in stimulating and developing the trade, and that further efforts in the same direction, which they hope to make, will, it is anticipated, be of material and valuable assistance.

Concluding remarks of the writer.

In bringing to an end his duties of exposing the conspiracy against the City Livery Companies of London, the writer desires to express the pleasure felt in the execution of his task, even though fraught with much anxiety consequent on inability to do adequate justice to a case of such great national importance. At the outset he stated that never has there been presented to Parliament any Commission Report fraught possibly with greater consequences to property in general, seeing that the Commission was mainly composed of an element known as "very advanced;" or, in plainer words, that a large majority held very liberal views as to the construction of the significant words *meum* and *tuum*. The fact of the Lord Chief Justice of England, who is understood to be one of the learned lawyers interested in the division of the Serjeants' Inn properties, being of the Commission, so also that the chief prosecutor was appointed a judge in the case, has rendered it difficult to write as freely on the matter as justice demands. The writer would not breathe a word reproachfully of Lord Coleridge; he feels, however, that qualms of conscience could hardly fail of being awakened in England's Chief Justice when subscribing his name to an unwarranted, uncalled-for, and almost gratuitously insulting demand that the Companies should be prevented realizing their properties. Coming, as this action appears to have done, so closely on the realization of the Serjeants' Inn properties, it has seemed as though the conscience, in acting for self as against others, sometimes presents an undesirable difference. Looking also at the unhesitating and somewhat flippant manner of a noble duke, a member of the Commission, the writer has felt how widely different are our dealings for and against others, to our own course where self and and self only is concerned. Perhaps there is no property in London known to contribute less to public charities than the vast estates yielding such boundless income to his Grace, who smiles so benignly on the marauders seeking charity plunder from the City Liveries. It can only be accounted for on the principle of a possible desire to elbow out all charity, so that its example through contrast may not protrude itself. Who does not know that the highest title of the house of Bedford is not remarkable for allowing freedom of motion in neighbourhoods wherever it holds sway? Let any one wander in the districts of Bloomsbury and St. Pancras, he will soon find himself a prisoner "fast bound in misery and iron." Barriers stop the way everywhere. It may be the exercise of liberty to indulge this legal power, though savouring so little of liberality towards mankind.

Happily in the case of this Royal Commission it is the Dissent Report that consequent on its fairness and honesty, commends itself to Englishmen. The Warr conspiracy has completely annulled all effect of the Majority Report prejudicial to the Companies. From the first day to the closing of the Commission it can be truthfully said not an adverse charge was, in the smallest degree, established. The Companies came out of the ordeal as men of their high character and sustained honour should do, and it is impossible to believe that any adverse legislation can be proposed in the case.

Counsel for union assures bulwark against oppression and wrong.

Renewing heartfelt congratulations and repeating the assurance of his sympathies with the least of the minor Companies uniformly with the wealthiest, the writer counsels union in the one common cause as the surest bulwark against oppression and wrong.

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