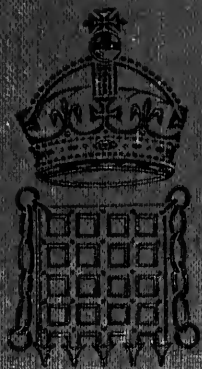


THE  
HOUSE OF COMMONS

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REGINALD F. D. PALGRAVE



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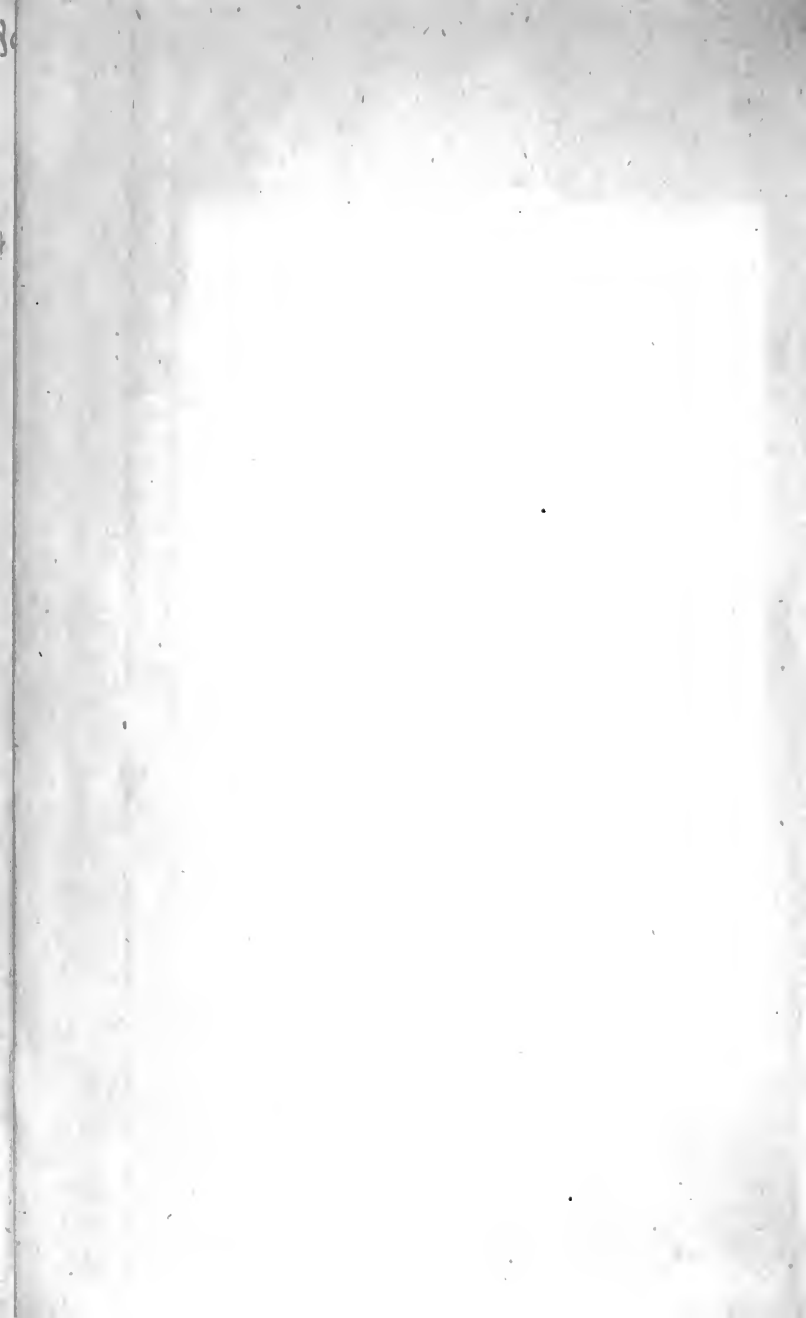
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THE HOUSE OF COMMONS.



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THE  
HOUSE OF COMMONS.

Illustrations of its History and Practice.

*A NEW AND REVISED EDITION.*

BY  
REGINALD F. D. PALGRAVE,  
THE CLERK ASSISTANT OF THE HOUSE OF COMMONS.

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To

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*These Pages are inscribed by*

*Their humble admirer and faithful Servant,*

REGINALD F. D. PALGRAVE.



## *PREFACE.*

THAT the parliamentary constituencies may fairly appreciate the responsibilities which they impose upon their representatives, and that our households may become better acquainted with the characteristic features of the House of Commons, are the motives which have prompted this publication.

Although neither to carp at, nor to pass compliments upon that assembly, is the writer's intention, yet, if, in any degree, he can enhance that loyalty and reverential association which Parliament can justly claim, there is surely no one who would cavil at such a result. Still, on the one hand, as even the House of Commons is not all perfect, a remarkable departure from its wiser and more ancient ways has been noticed; and a calculation is added, at the end of the book, which shows how a very considerable portion of last session was occupied. And, on the other hand, if the conduct of our legislators is, in any way, liable to misconstruction, the removal of that chance of error has been attempted.

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The conditions under which members exert control over public expenditure is, for instance, a subject well worth explanation, as the exact scope of their financial function is, from its very nature, likely to be misunderstood. The mode in which they decide upon the questions brought before them has, also, been subjected to specious, but unfounded objection. And, session after session, another occasion for misapprehension too often arises. Outside spectators do not, and apparently cannot, understand the patience which the House exhibits. If a moment of difficulty or embarrassment arises within its walls, they at once pronounce that tolerant patience to be absurd, and ask, with some heat, why do not the Commons abolish that source of embarrassment by new rules and regulations?

That criticism has, perhaps, received some answer in these pages; it has been shown, whenever occasion served, that if fear be entertained by the House, undoubtedly it is a fear of quitting "the platform of antique precedent," of breaking the ancestral continuity of practice. "As heretofore accustomed" has been, and ever will be, it may be hoped, the abiding practice of Parliament, not to be deserted, save on grave occasion.

The advantages which spring from this habitual method of direction are admitted by all who, through experience or by insight, know the true instincts of

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the House of Commons. They perceive—to use the language of a statesman who, among living statesmen, has most conformed his genius to the genius of Parliament,—that “what makes the House of Commons so influential, in contradistinction to the popular assemblies of other countries, is this: that when there is any great question of difficulty, the country feels that we are solving it, not merely by the present thought and existing intelligence of the members of the House, but that we come down to its consideration, fortified by precedent, and bringing to bear upon it the accumulated wisdom of the eminent men, who have preceded us.” (Mr. Disraeli: debate, April 18th, 1864.) And this enunciation of the governing principle which Parliament observes as regards itself, applies to its government over the empire. For what is the basis of parliamentary government, but deference to the general will and habits of the majority, whether expressed in years gone by, or in the present day? And there is no surer mode of enforcing the spirit of deference, than by discipline based on usage, rather than upon law.

Treatment of a large and complex subject, in a popular fashion, necessitates selection, and the excision of much, that might otherwise be looked for; and disappointment may be caused by the writer's silence regarding that well-known something called “obstruction.”

This omission is intentional. One form, indeed, of obstruction is not wholly ultra-parliamentary; namely, a sudden and persistent resistance to the will of the majority, arising from transient irritation on the part of some, or from the perverse vanity, perhaps, of others. Macaulay has most admirably described the latter occasion in that biography of universal interest. And as it has been, for nearly a quarter of a century, the writer's occupation to study the House of Commons all round, he could have capped Macaulay's story with others as quaint, if not told as effectively. The final impression, however, caused by a scrutiny of these parliamentary exhibitions, was that the game was not worth even the feeble illumination which might be reflected from this book. Even of the worthier examples of protracted opposition, supplied by the annals of the last century, admiration at "the excellence of the sport" was far surpassed by the feeling—"would it were done."

The chapter of human experience might, however, exhibit "obstruction" of quite another kind, which, though occurring in Parliament, is not of Parliament, and which befits the chronicles of the Old Bailey, and not pages devoted, however discursively, to the consideration of the House of Commons. An attempt to injure Parliament by means of its procedure, or to lower it in the public esteem, is not so much a breach of parliamentary decorum, as a breach of faith with the

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State. For such an offence is the misuse of privileges and of high position, by those who are entrusted with that position by the State itself. And though it may seem strange, that to assign due place upon the old criminal code to so new a crime, a comparison should be sought amongst the lower types of guilt: still not less true is it, that a member of parliament, who takes his seat under the sanction of the oath of allegiance, and, in defiance of that oath, employs the rights he so acquires, to inflict injury or contempt upon the Constitution, passes into the company of faithless trustees, and of deserters who betray their comrades.

Some of the eminent authorities which form the basis of this undertaking are, with all humility, distinguished by a dedication enumerating their names; though deference to chronology places last that author to whom the writer every way owes the first debt of gratitude, and whose name, indeed, might be affixed continuously throughout the following pages. Mr. Forster's historical essays, and the works of Macaulay and Mahon, have, of course, been used. Much of the information regarding public expenditure was derived from suggestions contained in Mr. Todd's "Parliamentary Government in England," a book remarkable, not only for accuracy and research, but as a critical inspection of the departmental world of Westminster, made from the other side of the Atlantic. Nor can

these sentences be closed without some expression of indebtedness to the late Mr. Bagehot for his essays on "The English Constitution." The philosophy of politics is, indeed, a subject beyond the writer's scope; still, it may be hoped that he has derived some advantage from a treatise written on a kindred subject to his own, and in a style so perfect for its purpose, that its only fault is, that it seems perfectly inimitable.



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THE HOUSE OF COMMONS.



## CHAPTER I.

### *The House of Commons in Debate.*

A FEW words, in justification for the appearance of this little book, treating of a great subject, have been offered in the preface. The general object of these essays is best described, as an attempt to delineate the elementary or typical character of the House of Commons. Every great popular assembly has such a corporate character, and therein may be found a sure, perhaps the very surest, guide to the history, prejudices, and business capacity, both of that assembly itself, and of the people it represents.

Eminently is this the case with the House of Commons: its personality is as insular as these islands: the members exhibit, in their collective demeanour, the peculiarities of our national disposition; and those very qualities which make the empire what it is—simple straightforwardness of action, deference to the will of the majority, and reverence for ancient usage—symbolise the express genius of Parliament. But marked as is the typical aspect of the House, its presentment to a reader is no easy task. That distinctive nature, which I seek to describe, lies in traits, at once uncommon and commonplace, tangible and yet vague, trivial but of vital import. Thus of necessity, if these essays are to fulfil their aim, they must assume the motley

complexion of their subject; and an effort to "bring to book" a form so diffused and transient, compels resort to every method of illustration.

Accordingly I have not scrupled to embody in my text familiar accounts of the House, given by foreign observers. To exemplify the ways and manners of the Commons, stories and anecdotes, from the days of Queen Elizabeth down to the last session, have been appropriated, not excepting even the vision of a cat in Parliament. The influence of national history and national feelings, upon the usage and business habits of the House, has been traced; and instances are given where modern laxity frustrates the intentions of ancestral rigor. The influence of party conflict over our polity,—that institution known as "the reporters' gallery,"—the relations between the Crown and the House, and its control over the money of the public, have, also, afforded occasions for remark, not uncongenial, I trust, with the object of this book. Nor has the writer shrunk, in the *rôle* of showman, from venturing to place himself, for a few minutes, upon the steps of the Speaker's chair and at the elbow of the Serjeant-at-Arms.

Nothing furthers acquaintanceship more quickly than information by the eyesight, and few things are so truthful as a first impression. I shall therefore, without further apology, ask Mr. Charles Moritz to describe to us what he saw in the House of Commons: first introducing my old friend as a literary gentleman of Berlin, who inspected that assembly as it sat, during the session of 1782, in St. Stephen's chapel, and under the presidency of Mr. Speaker Cornwall. Mr. Moritz thus tells his story:—

"One afternoon, about three o'clock, at which hour, or thereabouts, the House most commonly meets, I inquired for Westminster Hall," which Mr. Moritz describes as "an

enormous Gothic building, whose vaulted roof is supported, not by pillars, but by large unnatural heads of angels carved in wood.

“When you have passed through this long hall, you ascend a few steps at the end, and are led through a dark passage into the House of Commons, which, below, has a large double door; and above there is a small staircase, by which you reach the gallery, the place allotted for strangers.

“The first time I went up this small staircase, I saw a very genteel man, in black, standing there. I accosted him without any introduction; and I asked him whether I might be allowed to go into the gallery. He told me that I must be introduced by a member, or else I could not get admission there. Now as I had not the honour to be acquainted with a member, I was under the mortifying necessity of retreating and again going down stairs, which I did, much chagrined. And now, as I was sullenly marching back, I heard something said about a bottle of wine, which seemed to be addressed to me. I could not conceive what it could mean, till I got home, when my obliging landlady told me I should have given the well-dressed man half-a-crown, or a couple of shillings, for a bottle of wine. Happy in this information I went again the next day, when the same man, who before had sent me away, after I had given him only two shillings, very politely opened the door for me, and himself recommended me to a good seat in the gallery.

“And thus I now, for the first time, saw the whole British nation assembled in its representatives, in rather a mean-looking building, that not a little resembles a chapel. The Speaker, an elderly man, with an enormous wig, with two knotted kind of tresses or curls behind, in a black cloak, his hat on his head, sat opposite to me on a lofty chair,

which was not unlike a small pulpit, save only that in the front of this, there was no reading-desk. Before the Speaker's chair stands a table which looks like an altar, and at this there sit two men, called clerks, dressed in black, with black cloaks. On the table, by the side of the great parchment Acts, lies a huge gilt sceptre, which is always taken away, and placed in a conservatory under the table, as soon as ever the Speaker quits the chair, which he does as often as the House resolves itself into a Committee.

“All round, on the sides of the House, under the gallery, are benches for the members, covered with green cloth, always one above the other, like our choirs in churches, in order that he who is speaking may see over those who sit before him. The members of Parliament keep their hats on, but the spectators in the gallery are uncovered.

“The members of the House of Commons have nothing particular in their dress; they even come into the House in their great-coats, with boots and spurs. It is not at all uncommon to see a member lying stretched out on one of the benches, while others are debating. Some crack nuts, others eat oranges, or whatever else is in season. There is no end to their going in and out; and as often as any one wishes to go out, he places himself before the Speaker, and makes him his bow, as if, like a schoolboy, he asked his tutor's permission.

“Those who speak, seem to deliver themselves with but little, perhaps not always with even a decorous, gravity. All that is necessary, is to stand up in your place, take off your hat, turn to the Speaker (to whom all the speeches are addressed), to hold your hat and stick in one hand, and with the other to make such motions, as you fancy necessary, to accompany your speech.

“If it happens that a member rises who is but a bad speaker, or if what he says is generally deemed not



sufficiently interesting, so much noise is made, and such bursts of laughter are raised, that the member who is speaking, can scarcely distinguish his own words.

“On the contrary, when a favourite member, and one who speaks well and to the purpose, rises, the most perfect silence reigns, and his friends and admirers, one after another, make their approbation known, by calling out ‘Hear him!’ which is often repeated by the whole House at once; and in this way so much noise is made, that the speaker is frequently interrupted by this same emphatic ‘Hear him!’ Notwithstanding which, this calling out is always regarded as a great encouragement, and I have often observed that one who began with some diffidence, and even somewhat inauspiciously, has in the end been so animated, that he has spoken with a torrent of eloquence.

“As all speeches are directed to the Speaker, the members always preface their speeches with ‘Sir;’ and he, on being thus addressed, generally moves his hat a little, but immediately puts it on again. This ‘Sir’ is often introduced in the course of their speeches, and serves to connect what is said; it serves also to stand the orator in some stead, when any one’s memory fails him, or he is otherwise at a loss for matter. For, while he is saying ‘Sir,’ and has thus obtained a little pause, he recollects what is to follow. Yet I have occasionally seen some members draw a kind of memorandum-book out of their pockets, like a candidate who is at a loss in his sermon; this is the only instance in which a member of the British Parliament seems to read his speeches.”—*Pinkerton’s Voyages*, ii., 506, &c.

Mr. Moritz gives so graphic a description of Fox and Burke, and of Pitt at the commencement of his career, that his narrative must be, for a while, continued. “This same celebrated Charles Fox is a short, fat, and gross man with a swarthy complexion and dark; and in general he is

badly dressed. He was sitting at the right side of the Speaker, not far from the table on which the gilt sceptre lay. He now took his place so near it, that he could reach it with his hand; and thus placed, he gave it many a violent and hearty thump. It is impossible for me to describe with what fire and persuasive eloquence he spoke, and how the Speaker in the chair incessantly nodded approbation from beneath his solemn wig, and innumerable voices incessantly called out, 'Hear him! hear him!' and when there was the least sign that he intended to leave off speaking, they no less vociferously exclaimed, 'Go on;' and he so continued to speak in this manner, for nearly two hours."

When, however, Burke, "a well-made, tall, upright man, but looking elderly and broken, stood up and made a most elegant, though florid speech; as he did not meet with sufficient attention, and heard much talking around him and many murmurs, he said, with vehemence, and a sense of injured merit, 'This is not treatment for so old a member of Parliament as I am, and I will be heard;' on which there was immediately a most profound silence." The impression that Mr. Pitt made upon the stranger was repeated surprise: first, "that a man of so youthful an appearance should stand up, at all, in Parliament; he seems to me not to be more than one and twenty;" then, "I was still more astonished, to see how, while he spoke, he engaged universal attention;" and lastly, because, "this same Pitt is now Minister, and even Chancellor of the Exchequer."

Differences are observable between the House of Commons in 1782 and in 1877. "Several ladies" were seen by Mr. Moritz in the Strangers' Gallery; no such sight is now permitted us. The hat has also disappeared from off the Speaker's wig. Nor is the following description, penned a century ago, of the discomfort of the Treasury

bench, at all applicable to its present well-padded condition:—

“ No satin covering decks the unsightly boards,  
No velvet cushion holds the youthful Lords ;  
And claim illustrious Tails such small regard ?  
Ah ! Tails too tender for a seat so hard ! ”

Despite these differences—though an interval of ninety-five years opens up a long vista of time—I would ask my readers if the Commons do not now present much the same aspect, which they offered to the German traveller?

That this is so, M. Dupeyré reveals unconsciously by the careful study of *Les usages du Parlement Anglais*, which he addressed, in the year 1870, to the President of the French Legislative Assembly. The preference the House has for precedent and tradition, and its disinclination to formal tabulated regulations, greatly surprised M. Dupeyré. “ I asked,” he writes, “ for the *réglement*, the code of rules of *le parlement Anglais*. ‘ Our system of procedure,’ promptly answers *M. le Président de la Chambre des Communes*, ‘ there it is,’—pointing to a long row of folio volumes, the Journals, which covered his library wall.” And Mr. Speaker Denison, with humorous power, described the effect of that reply upon his visitor: and how he recoiled aghast from the bookshelves to which he was referred. In revenge, M. Dupeyré declares that the Commons’ Journals are nought but a “*répertoire de contradictions*,” and of antagonistic precedents. He could not appreciate the force of an unbroken record of usage and tradition ranging over three hundred years, or the enduring efficacy of practice founded on the concentrated experience of centuries.

The absence of external display and ceremony which marks the House also impressed him. M. Dupeyré

instinctively reverts to Paris, and contrasts the opening ceremony of each day's work at Westminster—that little group which crosses the lobby through the bowing crowd, the Speaker, Chaplain, Secretary, and Train-bearer, followed by a messenger or two—with the pomp of the *Corps Législatif*, soldiers presenting arms, officers with drawn swords, *faisant escorte*, and drums *battant aux champs*. And he comments, in the same tone, on the look the House wears—a room barely commodious, far less splendid, filled with a restless crowd of men, who jumped up, sat down, or stood about around the bar. Most of all was he shocked at the behaviour of “*un membre de l'opposition*,” Mr. Gathorne Hardy, I believe, who, in reply to the Prime Minister, leant over the table of the House, flourishing “the hat in one hand, the riding-whip in the other, and with a bunch of roses in the button-hole;” an incident only to be explained, because “*l'Anglais reste sportsman, même à la Chambre*.”

Although M. Dupeyré does not word his description of our debates, with the bluntness Mr. Moritz used, still the impression made upon him, is evidently the same. He notices that to mark our aversion to set addresses, the Commons have no rostrum whence to demand the right of speech; but that members snatch that right, as best they can, by jumping up to catch the Speaker's eye and call. And he perceived that they must then, if they wish to secure attention, discuss public affairs in a familiar but animated style.

A precise accord is thus unconsciously shown by our foreign critics, with an opinion expressed about fifty years ago by one, whose authority will be, at once, admitted. “Members,” Mr. Canning observed, “must in their speeches, take conversation as the basis, rather than anything studied. The House is a business-doing body, and

the speaking must conform to its character. First, and last, and everywhere, you must aim at reasoning. Ornament in debate, if it come at all, must come as without consciousness; if you could be eloquent, you might, at any time, but not at an appointed time."

But an identity of habit and custom, thus exhibited by Parliament, is not to be limited by intervals of fifty, or even a hundred years. Had Mr. Moritz been a visitor of three centuries ago, had he landed here whilst Elizabeth, and not Victoria, was Queen, the House would have worn almost exactly the same face; he would have heard the same style of familiar speech; and questions would have been put from the chair in an identical formulary. The tumult caused by members "*se pressent assez bruyamment*" at the bar, which startled M. Dupeyré, had provoked this remonstrance from an Elizabethan legislator: "Mr. Speaker, where is no order, there is disorder; divers gentlemen stand before the door of the House, which breeds a confused sound when the question is propounded. I pray you order them to disperse." And equally of ancient date, and founded on as old a precedent, arose that custom which so amused Mr. Moritz, the bow, namely, which a member, wishing to go out of the House, makes in the direction of the chair, "as if, like a schoolboy, he asked his tutor's permission."

These trifling illustrations have been given by way of easy introduction to that somewhat technical matter, the origin of parliamentary procedure.

The mode in which the Commons founded their practice is this. The House conducts both its business and its manners, according to chance remarks, or casual rules, recorded in the Journals of about three centuries ago; which rules were, in their turn, founded upon custom and usage of immemorial antiquity.

The quorum of the House, for instance, is governed by no standing order. The prescribed 40 is an accidental number: even the regulation itself is, also, but an accident, arising out of the contest between Charles I. and his subjects. Parliaments, prior to 1640, were but of brief duration; their work was simple, their existence irksome to the Sovereign. That year witnessed, for the first time, a Parliament sitting not on royal sufferance, and therefore sitting long. This continued session produced that natural result, a slack attendance; the hour for meeting came, but not the members. Hence arose the necessity, never before felt, of what we should call "making a House." So what number should constitute a House was discussed on the 5th January, 1640; and it was entered on the Journal "that Mr. Speaker is not to go to his chair, till there be at least forty in the House;" and this entry has received enforcement ever since.

But, curiously enough, eighty-nine years elapsed before our ancestors discovered that "no House" was the logical sequence from "a House," and might produce, as an inevitable result, a "count," or a "count out." And for the first time, on the 26th April, 1729, members experienced that now favourite method of interruption, their summary dispersal on Mr. Speaker's bidding, "in regard," as was that day recorded, "that forty members were not present in the House." From this it may be gathered, as well as from Speaker Lenthall's remark on "the conduct of members so unworthy to sit in Parliament, that could so run forth for their dinners, or to the playhouses and bowling alleys, leaving business of great weight," that Speakers, until that date, were expected to abide patiently in the chair, awaiting the revival of the assembly.

And in other important respects the Commons traced out, as it were accidentally, the duties imposed upon their

chairman. Thus if, on the one hand, they established for a rule, in 1604, that when "Mr. Speaker desires to speak, he should be heard without interruption;" on the other, some ten years later, he was cautioned by another Journal entry, "not to sway the House with argument." So, also, Speakers were endowed with that awful power, their last resort in behalf of order, the "call upon a member by his name," merely in remembrance of Speaker Lenthall, who, on the 9th of June, 1641, having tried in vain to silence "divers members who were talking at the lower end of the House, in the west corner under the gallery at last called on Sir W. Carnabie, by name, to desist."

Nor are occasions of annoyance to the Commons of more serious import, but quite as dead and gone as that hon. member's tongue, without a present influence on parliamentary usage. The heavy hand of the Tudor and Stuart monarchs, and the bad services rendered to them by the Speakers of the House, have left this abiding impression. Surprise has been expressed that a Committee of the whole House should merely consist of the House of Commons over again, the only essential difference being that the Chairman of Ways and Means assumes, for the occasion, the duties of the Speaker. This is, however, exactly why that method of deliberation was adopted. The exclusion of the King's emissary and spy, their Speaker, was the sole motive why the Commons elected to convert themselves into a conclave called a Committee, that they might meet together as usual, but without his presence. And as the locked door was an ordinary feature of Committee practice, they could do so, as of right, and tell the Speaker to wait outside until sent for.

The right of unrestricted speech, the peculiarity of a Select Committee, was also thus undesignedly imported into the deliberations of the entire assembly. Taxation, and the

grant of subsidies, matters at once specially interesting to a king, and equally provocative of uncourtly remarks, were at first the sole business of these Committees. The necessity of such a custom was then obvious enough ; and therefore, in later years, Strafford's Attainder Bill, being a measure hotly contested, both by the King, the Parliament, and the nation, was the first bill, other than a money bill, which the Commons considered, line by line, in a Committee of the whole House. Nor is it wonderful, considering what a very clumsy method such a large Committee is, how unsuited for the discussion of minute points of difficulty, and of legal phraseology, that Strafford's Attainder was met, again for the first time in parliamentary history, by obstructive opposition. Protracted disputes met the bill at its outset, provoked by the novelty of the procedure ; nor were Strafford's friends slow to perceive their opportunity. And Sir S. D'Ewes, the chronicler of the Long Parliament, recorded, as he sat in that Committee, his amazement, because "over a debate upon so few lines, we had lost so many hours," and the vexation caused by oft-renewed proposals designed solely to create delay, and by other frivolous objections heard from "divers lawyers of the House."

As few, I fear, can share in the interest which I take in this subject, but one more illustration of the connection between national history and parliamentary practice shall be given. This example lies in a somewhat comic event which once occurred, towards the close of a sitting of the House. The room was empty ; the members, their work done, had rushed away ; the clock-hand pointed to an untimely hour in the early morning ; but, though the benches around were thus deserted, this was not the case with the chair ; there the Speaker remained seated ; and there he had to abide, by no means according to his will, but strictly in accordance



with his duty. Nor could he be released, until a member, recalled from his homeward course, had moved, "that this House do now adjourn," and until that motion had been distinctly resolved in the affirmative.

Mr. Speaker Denison was, during those minutes of detention, doing penance for the misdeeds of his predecessors; because Speaker Finch or Speaker Seymour, obeying their royal master, and disobeying the wish of the House, had often abruptly stopped debate, by hurriedly "pattering down" from their chair, and away out of the chamber; practices which, centuries ago, compelled the Commons to establish as a rigid rule, that come what may, their adjournment must ever be upon a motion put from the Chair, with every consequent formality.

The steady preference shown by the old Parliament men to broad principles, embodied in precedent, over a minute code of practice, had this motive. Above all things it is essential, to use their language, that the Commons should always "be convinced that the House is master of its own orders." And they are justified by the result. Thus left unfettered, its mode of procedure has proved strong and elastic, and capable of defeating open resistance from without, or veiled treason, if need be, within the walls of Parliament.

In one point, however, the tenacious conservatism which the Commons exhibit regarding their formulary is remarkable. They have steadily refused to adopt those methods of arresting prolonged debate, which are found necessary elsewhere. Nor has the lack of this coercive power been unfelt. The occasion when the House heard, during a whole Wednesday sitting, a shrill and voluble tongue ring unceasingly from twelve till six o'clock, is of comparatively recent date, and similar exhibitions may not, as yet, be forgotten. An old story, however, will suffice to show how true is the expres-

sion that a member speaking, takes "possession of the House." One endowed with powers of speech apparently unwearable, was wearying his hearers, when a colleague, tired out, left the House; he took horse, and rode down to Wimbledon; he dined there and returned, the evening over, to Westminster; but still he found the same member speaking, upon the same topic, and in the same inexhaustible manner which had driven the wanderer into the country. His patience was typical of the patience usually exhibited by the House; but when a speech is merely an undraped exhibition of personal vanity, or protracted to create annoyance, the irritation thus caused must find vent.

Some such wrathful explosion startled Mr. Moritz in the Strangers' Gallery. Suddenly, he heard from the benches below, outcries and clamour, peals of portentous coughs, the yell of 'Question! question!' ironical cheers, bursts of laughter, and the chorus, 'Oh, oh, oh!' by which vexed members compel each other to be silent." "This must needs," as he remarks, "be a distressing situation." It must be so indeed, and it has aroused somewhat kindred resistance; such as O'Connell's retort of "beastly bellowing," or Burke's protest against "the yelping, the ill-treatment of a parcel of boys." This rough method of applying "*la cloture*" is at least no novelty. We fancy Queen Elizabeth's subjects to have been grave and solemn; but they did not scruple, if thus irritated, to silence the debater by ugly noises in the throat; when very impatient, they "hawked, and spat, and kept up a great coil."

And besides that this practice is thus made respectable by antiquity, what is more to our immediate purpose, it has received a recent sanction from one of high authority. Discussion took place last session on parliamentary reporting, and reference was made to those occasions, when consideration for his associates was avowedly disregarded by a

member, who wilfully and unduly insisted on his claim to speak. And whilst this topic was under debate, this statement was made: "If there be men in the House who are not to be put down by any sense of shame, or by the feeling of dissatisfaction among their fellow members," in such a case, Mr. Bright pointed out that the House had, "as a remedy," the power of quelling that attempt by overpowering clamour. And as this ancient and approved "remedy" is never employed on the provocation of mere dullness, or to stop honest prolixity, but is only heard when the discussion must needs be closed, or when malice is perceived, obviously the House has a right to use this rough method of coercion.

Mr. Moritz, still to use his text for my preachment, also remarked that "the little less than downright, open abuse, and the many really rude things which the members said to each other, struck me much." Very likely. The grossest personalities then were heard in Parliament. Members made open ridicule of the infirmities of those around them, and jeered at the ungainly body of a Prime Minister. Even a noble-minded man was thus abusive. Burke, tempted by Lord North's rotundity of body, and goggle eyes, pictured him to the House as "extending his right leg a full yard before his left, rolling his flaming eyes, and moving his ponderous frame." Mr. Pitt, too, who might justly claim respect, was as grossly insulted. "There he stood," said his antagonist, "turning up his eyes to the heaven that witnessed his perjuries, tearing out the bowels of the nation." Passing on to the present century, I find that a Chancellor of the Exchequer was described as "a miserable miscalculator, owing to the ignorance and want of power in his little mind;" and that a member, justly esteemed by all, was designated "a brewer of bad porter:" a scoff, however,

solely memorable for the reply, full of fun and pleasant humour, which it drew from the person insulted. "Mr. Speaker," he said, "I rise, as a tradesman, to complain of the gallant officer for abusing the commodity which I sell." Examples of this kind need not be multiplied; especially as, to quote the opinion of one most eminent, though such gross language might have been heard, when he entered the House of Commons, then about thirty years ago, still, he emphatically told his hearers, "that for years past, though we have had moments of great excitement, we have never stumbled back into those old ways of bad repute." And it is a marked trait in our national character, that however large be the parliamentary licence of abuse, it is not for a moment extended to such a sneer as that implied in the expression "the hon. and religious," or "the hon. and reverend member." When these epithets chanced to be directed against Mr. Wilberforce and Mr. Bright, the would-be jests were met with an indignant roar, even though the joker, on one occasion, was Lord Palmerston himself, in the plenitude of his power.

A transition from words used for the purpose of abuse, to such venial slips of the tongue, as the abuse of words, will not, I trust, be deemed too violent a change. "Men turning their backs upon themselves," "the constitutional principle of the empire bound up in the monarchical principle," "sets of circumstances turning up, and sets of circumstances going down"—specimens of Lord Castlereagh's topsey-turvey imagery,—have, indeed, never since been equalled. Yet the present House has been told that "every one who tried to examine below the surface should look the fact in the face and see to its very bottom"! or members have gravely declined "to endorse the phantom which an hon. member has evoked," or have made a protest against "an attempt to shunt a question by a side-wind."

A laugh is also occasionally raised, by quaint verbal transpositions, or the sudden concoction of a word, such as, "the ships broke repeatedly over the sea,"—"assumptious" for "assuming,"—or an appeal made to "the hon. and gallant admirable!"

And a tinge of absurdity was once imparted, by the position of the clock-hand, to a speech, as full of eloquence, as might be expected from the member speaking. The theme of the debate was congenial to him, the horrors of war, and the House was listening with fixed attention; though far past midnight, there was no symptom of impatience. To illustrate the hatefulness of war, the orator pictured among those blessings it destroys, the happiness of happy childhood: "What should I now see," he said, "if I now went home? the children playing by the fireside." At these words, many an eye was turned to the clock above the entrance of the House, which showed that the moment when those words were being uttered was two o'clock in the morning. What, children up and about at two o'clock in the morning, at play round the fire long after midnight? Heaven forbid! was felt by all; and the glimmer of a smile played across many a face. No one, however, disturbed by open mirth that sad story of human misery.

As the strife of tongues is the express object of a Parliament, or "a talkation," words of offence must needs occur. Mr. Moritz, who heard us with foreign ears, did not appreciate, so highly as we do, the merits of the rule which forbids direct attack, and compels all speech to be addressed to the Speaker. He remarked, on the contrary, that those who take that mode of gratifying their turn for bad language, "do but fancy" that they are observing "good breeding and decorum." Nor can much more be said in behalf of that model of regulated abuse, which the Commons have shaped out for themselves. It may well seem strange to an outsider,

that, "in a parliamentary sense," an adversary's words may be described as "language most disgraceful and disgusting," or that a member may be stigmatised, over and over again, as a liar, if thereby be meant an untruthful statesman.

There is, however, one form of attack which is not beyond the lines of ancient precedent. A member may stare in his opponent's face as fiercely as he likes. During January, 1642, Mr. Jesson, an ancient alderman of the borough of Coventry, "who very worthily represented it," started up, with much heat, to oppose a bill that endangered the trade of his constituents. "Whereupon Sir H. Mildmay took exception, affirming that the said Mr. Jesson had looked very fiercely upon him when he spoke, and that it was done in an unparliamentary way." The House however does not appear to have thought so, as the complainant got no redress.

Still, shape the rules for discussion how you may, the House is no easy place to speak in. Hearers ready to be rightly moved, or rightly provoked, fair, as they are always, the boldest man may fear to address. A new member has left this vivid picture of his sufferings and failure. It was Lord Guildford, Lord North's eldest son, who thus described his sensations: "Having risen and caught the Speaker's eye, I brought out," he said, "two or three sentences, when a mist seemed to rise before my eyes; I then lost my recollection, and could see nothing but the Speaker's wig, which swelled, and swelled, and swelled till it covered the whole House! I then sank back on my seat." And the outside look of an ancient member in this affliction is thus recorded; according to that authentic document, the Commons' Journal: on the 3rd December, 1601, "Mr. Zachary Lock began to speak, who for very fear shook, so that he could not proceed, but stood still a while, and at length sat down."

Many a traditional joke naturally clusters round the

efforts of "stickit" members, such as, "Behold, Sir, another feature of the procrastinating system. Not so the Athenian patriots—Sir, the Romans—Sir,—I have lost the clue of my argument—Sir—Sir—Sir, I will sit down." And another sample runs thus, "Mr. Speaker—Sir, I am astonished! Sir, I am astonished! Sir, I am astonished!" and then the member became too astonished to speak more.

A tribunal which has sat through centuries, must meet, from time to time, with grave or ridiculous interruptions. If every such incident experienced by the House were described, from the day when Cardinal Wolsey appeared on its floor to enforce the king's demand of an enormous subsidy, to the moment when the tranquillity of the existing Parliament was disturbed in behalf of British seamen, the narrative of these occasions would be a complete narrative of our history. What was more predictive of coming discord, than the systematic interference which Charles I. directed against the Commons, and the counter incursions by angry petitioners? No event was more in tune with the mad frenzy, which raged during his successor's reign, than the presence of Titus Oates at the bar of the House, exclaiming, "I, Titus Oates, accuse Catherine, Queen of England, of high treason:" and the roar of "No popery," which that chamber heard, whilst Lord George Gordon's rioters stormed around the door, was not less sadly typical of England under George III.

Even the trivial interruptions which have amused the Commons, are rarely without significance. An aside view of an extinct social era may be gained, by the sight of the House while Mr. Elwes, known, even by us, as Miser Elwes, stealthily shuffled along over the floor, questing after his dirty scratch-wig, which a brother member had unconsciously

swept off upon his sword-hilt. How quaintly the homely humour of our forefathers is shown by these entries in their Journal: "Die Jovis, 31<sup>o</sup> Maii, 1604. During the argument, a young jackdaw flew into the House, called *Malum omen* to the Bill;" and two years later on, "A strange spanyell, of mouse-colour, came into the House." So, also, the story of Lord North, during a debate, bandying compliments with the barking dog, effectively illustrates that Prime Minister's facile temper. For who but he, when so disturbed, would have thus appealed to the Chair: "Sir, I am interrupted by a new member," or when the dog did not take the hint and continued his "bow, wow, wow" vociferation, would have raised the absurd point of order, that "the new member had no right to speak twice in one debate."

Even "the cat incident" of 9th July, 1874, admirably exhibits the promptness of a keen and brilliant parliamentary debater. Never were the members more amazed, than by that sudden incursion: they were in full debate, when a large tabby-cat darted out from behind the Speaker's chair, sped over the floor of the House, made a quick spring in air, leapt across benches, bounded above heads, and disappeared. The tumult of laughter was excessive; order was lost in absurd disorder; when Mr. Gathorne Hardy brought his hearers back to attention, and to his subject, the Public Worship Bill, by the remark "That Fox, in his 'Book of Martyrs,' related that the Synod of Dort was disturbed by the sudden apparition of an owl; and he was not surprised that the House had been startled by the appearance of an animal, which certainly was not regular in its attendance there."

And if one more addition may be made to this class of story, I will make mention of quite another species of interruption, which once befell the House of Commons.



I was present, there when word came of the death of the Emperor of Russia, stifled by bronchitis in that bitter winter of the Crimean War; and the news might be traced along the benches by the awe-struck look it caused, upon the faces of those that heard it. Debate was for an instant hushed; involuntarily all seemed to pause; the thought of that unyielding monarch, so brought low, seemed to chill and subdue the House; awe was impressed on all, and even regret for the Emperor of Russia. Now, it is no matter for surprise, that when the extraordinary and horrid tidings were sent across the Atlantic, of the murder of President Lincoln, that the House should bear conspicuous testimony, by its look and manner, to that occurrence. Equally inevitable was it, that members should be unable to continue their debate, upon the evening of the 11th May, 1812, when the Prime Minister, Mr. Perceval, shot by a madman, fell and sank in death at the very entrance of the House. Such terrible events must overcome all, anyhow; as mere incidents they far surpassed in effect something so ordinary, as life closed by illness. And it showed sympathy of a fine touch, that the Commons should, by their momentary silence, mark the death of the Emperor of Russia, with a spontaneous tribute of respect paid to a great national antagonist.

Twice only, during its protracted existence, has the House of Commons witnessed in its chamber the imminent threat of open violence; occasions memorable, not merely as singular incidents in the annals of Parliament, but for their enduring effect upon the history of the empire. Events so extraordinary, as might be expected, were both predictive and productive of the Civil War; and were repeated within a brief interval of time. Indeed, if the Commons had not stood in almost open strife on the 23rd November, 1641,

Charles would probably not have attempted the arrest of the five members, upon the 5th of January following.

The Long Parliament had re-assembled in October for its second session ; the King had returned from what seemed reconciled Scotland ; England, also, exhibited a reaction in his favour ; and apparently he had won over the City of London. Those members of Parliament who were in open opposition to the King, feared, not unreasonably, as his hands were tied by statute from legally dissolving Parliament, that he might try to do so, illegally. Such a crisis must therefore be met ; an appeal to the three kingdoms, against the King, was adopted as the best mode of counter-action ; and on Monday, November 22, 1641, a statement was laid before the Commons, describing the long-continued evils which Charles and his ministers had inflicted on the realm. This manifesto was debated all that Monday, past midnight, far into Tuesday morning, with passionate bitterness. Stormy, too, were the times. Ireland was in rebellion. England was full of plots. The King's friends in the House battled for him earnestly ; it was with difficulty that the Remonstrance was agreed to. Then it was proposed to print and publish that narrative of systematic injustice, illegal taxes, illegal imprisonments, ruin to trade, injury to all : it was proposed that England should see what the Commons had done to obtain redress, and read over that sad story of misgovernment.

An outburst of anger, which nearly closed in bloodshed, sprang from that motion to publish this "the Grand Remonstrance of 1641." The debate had lasted fifteen hours ; all were weary and exasperated, all ready to be provoked. That proposal to publish the Remonstrance did provoke to fury those who sided with the King against the people. A chance word lighted up the House, as a spark explodes gunpowder. In a rage, all started to their

feet ; with threatening cries, and threatening gestures, some members waved their hats on high, others loosened their swords. One moment,—and those swords had been sheathed in each other's sides ; in blind fury the members were all but slaughtering each the other, each man striking down his neighbour. Event so fatal was mercifully prevented. One, whose name is a bye-word for true nobility, Mr. Hampden, with a few calm sentences, caught the attention of those angry men ; he stayed that plague of savage passion ; but it required all the command of Hampden's resolved dignity to quiet and subdue the House of Commons, during those early hours of Tuesday, November 23, 1641.

The publication of the Grand Remonstrance made the quarrel between King and Parliament irreconcilable : it showed that a House of Commons, which he could not silence by a dissolution, had the mastery. And so, before two months elapsed, Charles struck his last blow, the famed incident of the 4th January, 1642.

Twice, at least, during the previous twelve months he had sought to surround London and Parliament by his army, but in vain. And the royal army was, in January, 1642, entirely disbanded ; still the King could collect a company of armed men in his palace at Whitehall, and thus bring them within a stone's throw from Westminster : with such a force he could strike a blow at the House : if he could not overcome the whole body, still he could crush its head ; he could arrest and carry off the five most leading members of Parliament out of the House itself. Whether or no the King foresaw distinctly, that the Commons would resist a wrong so flagrant, this, at least, is certain ; he was prepared to overcome resistance, if need be, by force. For several past weeks Charles had brought within his call a company of about three hundred disbanded soldiers, officered by men

trained in foreign war; he entertained their leaders at his table, and fortified Whitehall.

The royal conspiracy against the Commons broke forth on that day, the 4th of January, 1642. Suddenly, about two o'clock in the afternoon, when members had re-assembled after dinner, the King, with his company of soldiers and courtiers, filed out from under the gateway of Whitehall palace. He turned towards Westminster; his armed train came after; passing onward with swift footstep, soon it was seen crossing New Palace Yard. The people fled from before that dread company, and closed their shops in terror.

Then the troop entered Westminster Hall; and immediately the soldiers lined that vast chamber throughout its length. Beneath an avenue of uplifted pikes and swords, Charles passed on; he ascended the winding staircase leading to the House; the soldiers pressed after, and filled the lobby. A blow burst open the outer door of the chamber, and the King entered; he went on, and stationed himself upon the platform of the Speaker's chair. All took off their hats, and rose to their feet, in silent recognition of his presence; the Speaker kneeled before him. All was quiet there; no one spoke or stirred.

In silence then did Charles stand gazing on the members, who, like him, stood in silence, ranged row above row around, and upon their close-set faces, fixed in still, anxious expectation. And thus passed by a moment of time; a moment that must have seemed long indeed; to the House it was as the hush before a storm; to the King it was time enough to show that he had openly broken the law in vain. For the five bold patriots whom he had come to carry off, dead or alive, were not before him. Sudden as he had been, they had escaped; forewarned in the nick of time, they had been hurried from their wonted places, whilst the

soldiers entered the hall below. Still the King went on; he called aloud the names of the five members, but no one answered. He commanded the Speaker to tell him if they were present, but Lenthall declined; he replied that, "as Speaker, he had no eyes or tongue, save as the House commanded."

Baffled as was King Charles, baffled by the silence of all around, baffled by the absence of the men he came to seize, his obstinacy bore him out to the end. He asserted his right to purge Parliament of traitors with his own hand—that he would have them wheresoever he found them. He left the House in angry, discontented passion; and then, at last, silence was broken; cries of "Privilege! privilege!" struck his ear, to remind him of the rights of Parliament he had so openly defied. Thus the King left the House; his soldiers streamed out after him through Westminster Hall—the hall he never again entered, until brought there to hear his death doom.

## CHAPTER II.

### *The House of Commons in Action.*

THE demeanour of the House of Commons during debate, formed the staple on which the narrative of the preceding chapter was woven. The natural continuation of that subject is the practical result of these discussions; and if the salient features of parliamentary practice be illustrated, as far as possible, by aid of anecdote and incidental description, a topic, at first sight unattractive, may, at least, prove tractable. The moment when the two great parties of this country meet with contending principles, and with opposite policies, and challenge the decision of the House, is the climax of its existence; such a "division," therefore, may well attract our first attention; and a few words upon a kindred subject, the constitutional action of party strife, will follow in due course.

Few minutes are fuller of excitement, than the minutes spent during a great division. Few weeks are more stirring than those which precede that event; the course of the debate is watched; startling rumours circulate of unexpected opposition, or of coalition. Then comes that final half-hour, usually in early morning, when the deciding catastrophe takes place. And, as some of my readers may be ignorant of the process by which members give their votes, I will try to picture it to them by describing the look the House wears, whilst a great division is being transacted.

Viewed, let us suppose, from above, the room below affords no variety of scene ; it contains naught but a crowd of men ; nothing is visible there but a sea of faces and walls of backs, so packed full is the House, even to the threshold. Out of this throng of men, two, however, are distinguishable—the Speaker, who sits above the throng, calm and unmoved, the representative of order ; and standing just below him, the Leader of the debate. The House, at present, is hushed to hear the last words by which he closes that critical discussion. All present feel, to use the words of one who, as Mr. Disraeli, was often foremost during so supreme a moment, that the issue before them may be said to be “of an awful character ; because the very tone and temper of the policy of the country depend upon their vote.” Then shouts break forth, of applause or of defiance, when the spell of the orator is withdrawn. And the storm of noise is renewed ; a fierce outcry of “Ay ! ay !” and then of “No ! no !” peals forth like two volleys of cannon from opposite sides of a field of battle, when the Speaker, rising to his feet, reads aloud the motion in debate. That over, the scene is changed ; the eventful moment is come.

All the doors of the House are thrown open ; the summons calling members to the vote is quickly passed along. Voices shout, “Division ! division !” through passages and corridors. Bells repeat the call, set jangling sharp and clear by the touch of electricity, that, in its circuit through that great building, flies over sixty miles of telegraph wire. The members speed, in answer, towards the House. They pass on quickly ; all around re-echoes to the jangle of the electric bells, and to the shout, “Division ! division !”

This rush of feet and rush of noise continues for two minutes ; and then the door of the House slams to ; the turn of the lock is heard. All within must vote ; and, till

all is over, no-one, not even the Premier himself, may pass that door when once, at the Speaker's order, the bolt is shot. Within, also, for the next half hour, the strife of tongues ceases. The Speaker having given the word, the vote must be taken. And this is the method: two corridors flank the House; the corridor on the western side is the "Ay" division-lobby; on the eastern is the "No" division-lobby. These corridors provide the means of dividing the voters, the one party from the other, and of recording the names and votes of, perhaps, as many as 630 members.

Thus, when the Speaker puts the question, all present quit their seats and walk off to give their votes, following this marching order. The "Ayes" face towards the Speaker, pass up the House, and circle round the chair, into the western lobby. The "Noes" move in the contrary direction; they turn their backs on Mr. Speaker, walk down the House, and file round into the eastern lobby. The separation of the two parties is thus complete. When penned into the division-lobbies, the names of the voters are taken down, and the number counted.

The first batch of voters passes quickly down the division lobbies; then the stream of men becomes packed; the crowd struggles on slower and slower; it collects before the desks where the names are recorded, and around the doors where the tellers stand to count the numbers. At last the two streams of voters dwindle away; and the empty division-lobbies echo to the cry "All through," whilst the last two or three members struggle back into the crowded House. And now the room is more crammed than ever: benches, floor, and galleries are flooded with a sea of eager faces. The fever-pulse of excitement rises every minute; the vote has been given, but the result is as yet unknown.



This, then, is what we wait for, the report of the numbers of the division. And the time of waiting, though barely two minutes, appears long. At last the end may be seen approaching. Through the dense crowd upon the floor, four gentlemen push towards the Speaker's chair. These are the tellers of the division. With difficulty they meet before the table of the House: then they face the Speaker in a row, side by side. That instant, and a cheer bursts forth! a shout, sharp, sudden, and decisive. It must be winners who shout like that. Victory, in truth, that moment had declared itself; the conquering party saw in their teller's hand the badge of success—the paper bearing the number of the votes: he carries the statement of the division. A moment's quiet is obtained, almost by force; all are furious to hear the exact number of the votes. Triumphantly that is proclaimed aloud by the teller for the winners. With exultation they echo back their delight; and the roof rings again when the Speaker formally announces the decision of the House. Doors immediately fly open. The ferment extends into the lobby; the crowd moves to and fro; electric wires are set at work throughout the country and across the sea. The stir in Westminster spreads to the printers in the City. Their presses roll and shake; and in about an hour after the division, the railways take up the movement. The damp newspaper sheets are bundled into the vans; the early morning trains speed away laden with the story of the great division.

The crisis being over, all troop off, both winners and losers, both Government and Opposition, both the shouters of "Ay" and those who cried out "No." The rival leaders in the debate are alike saluted with many a cheer and burst of applause.

Good humour, however, is not always possible in such an hour. Just a century ago, a leading statesman lost his

temper, tried by defeat in the House and by hisses in the lobby. This was Mr. George Grenville, for a short space, Prime Minister to George III. When in office, Mr. Grenville imposed taxation on what were then our American Colonies. These taxes were most successfully resisted by the Colonists, as is well known; and the unjust character of that taxation was also strongly felt in England. An effort was made to procure its abolition, and after hot opposition, it was successful. On the night of that success, when the last victorious division had been taken, the members, streaming out of the House, found themselves surrounded by a throng of men, and deafened by shouts and cheers. The leading City merchants, eager to know the result, had waited in the lobby all through that night, almost until the late sunrise of a February morning. Tired and excited, the expectant crowd was naturally noisy. The members, the friends of the Colonists, were loudly welcomed; whilst Mr. Grenville was loudly hooted. By nature haughty and ungracious, smarting under defeat, Mr. Grenville turned against the hissing crowd; he stepped forward and took one of them by the throat. The man opportunely had some fun about him: good-humoured, he converted into laughter the anger of his friends. "Well," said he, "if I must not hiss, I may laugh;" and he responded to that attack by peals of laughter. The affair was thus made ridiculous; the joke spread, and Mr. Grenville escaped from the rough handling that his anger might have provoked.

Whatever be the feelings created by a stand and fall division, such as I have sought to describe, the result now-a-days rarely provokes surprise. Though voters may be "whipped" back from the regions of the Nile, or forth from the seclusion of the sick room, or of the honeymoon, still a

majority of ten or fifteen is usually, with accuracy, pre-determined. Modern parliamentary history, however, exhibits two remarkable divisions which ended differently. The session of 1841 is thus distinguished; that session was throughout, one continued battle in the campaign over the principle of free trade; the balance of political power, for months, wavered to and fro. The climax at last arrived; Sir Robert Peel challenged Lord Russell's Government by an antagonistic motion; but so close did the numbers of the rival parties run, that Peel was victorious, and made Prime Minister, only by a single vote; 312 members voted for him, and 311 for Lord Russell. The other division to which I refer assumed a very different complexion. The winter of 1854 was, with us, occupied but by one topic for thought, the misery of our troops before Sebastopol. The meeting of Parliament in 1855 set in action the emotion of the empire; and the House of Commons condemned the Aberdeen Ministry, not by 10 or 20 votes, but by 157. So startling was this conclusion, that the declaration of the numbers did not excite the wonted signs of exultation. Not a shout or a cheer was heard; the division over,—first ensued absolute silence; then came a murmur of amazement; and then a burst of derisive laughter.

The merits and demerits of our form of government are effectively exhibited by a critical division. Direction imparted to a State by means of a Parliament, which is set in motion, in its turn, by the collision of opposing parties, is not obtained without some inherent mischief. Besides the loss of combined action for the welfare of the community, the loss of national time is an evil inevitable to parliamentary government. It can act in no way, save by the reiteration of argument, by debates continued from day to day, and by divisions taken session after session. And the impatient, occasionally, murmur after a more trenchant and

less tentative method than is provided by Parliament. "It is said by eminent censors in the Press," to adopt words which Mr. Bright directed against such impatience, "that this debate will yield about thirty hours of talk, but will yield no other result. I have observed that all great questions in this country require thirty hours of talk, many times repeated, before these great questions are settled. There is much shower and much sunshine between the sowing of the seed and the reaping of the harvest; but the harvest is generally reaped after all."

This sentence is not quoted merely for its beauty, but because it sums up, in a few words, the chief good of parliamentary government. The finality, the completeness, with which Parliament acts, when, after a series of well-fought-out debates, it divides on a political question of national import, is exactly expressed by the harvest simile. No decision so arrived at has been reversed. The decrees of the wisest and most omnipotent despot cannot exceed, in irrevocableness, the decisions of the House of Commons. Nor can any quality in the regulation of a great empire have a higher merit than absolute certainty in direction. And that this beneficial action is the express result of party conflict may be shown in another way.

It can by no means be affirmed that the verdict at which the Commons arrive, on questions involving no broad policy, or given on what might be termed personal matters, has never been set aside. The last session afforded an instance of the kind, regarding the appointment of a head to one of the Government offices. Even more striking was the retraction by the House of its vote forbidding a Sunday postal delivery of letters, during the session of 1850. Nor are similar examples infrequent. But why should this be the case? Because such questions lie outside the common track of politics; because the House acts without the

guidance of a determinate party opinion and of its ordinary leaders.

Thus, both by their decision and by their indecision, the Commons themselves testify to the operative effect of political organization. Indeed, it may be broadly stated, that the whole motive force of Parliament springs from the vitality of that system. It is the discipline enforced by party warfare which enables the Commons to act, not merely efficiently, but at all. And did this assertion need further confirmation, I might point to that assembly which met in the theatre at Ephesus, whereof "the more part knew not wherefore they were come together," and which arrived at no decision, "some crying one thing, and some another." The true saying, that the collective wisdom of Parliament exceeds the wisdom of any single head therein, however capable and capacious, applies with equal truth to the combined sagacity of a well-grounded and honest political section in the State. Nor can a Government or a Parliament exist, save by that steady and assured voting-power which such a combination affords, and which is procurable in no other way.

Thinking, however, of that solid mass of impassive members which, in answer to the division-bell, appears below the bar of the House, and defeats, in the lobby, arguments that seemed unanswerable on the benches; this steady voting-power must, I admit, seem to act, occasionally, in a surprising, perhaps in an annoying, fashion. It cannot, however, be otherwise; and those who assert that none should vote, except those who have heard the whole of each debate, show an ignorance, not only of human nature, but of parliamentary nature. The movement and the collision of political opinions being, of necessity, the main source of action to the Commons, every dispute within the walls of Parliament must have a contentious aspect, and

involve a broad difference of thought. No argument can overcome that divergence; no reasoning can bring into harmony opposing policies; thus the customary practice of the House, in this matter, is more than justified, it is necessitated, and a single word from the "whips" must inevitably answer hours of controversy.

If a division by the House be regarded merely as a mode of ascertaining and recording the number of the votes, our method cannot be described as "good all round." And the voting arrangements of the French Assemblies, the collection of blue and white cards, deposited in urns, borne by ushers from bench to bench, have been recommended; but their method obviously fails in one essential feature, absolute publicity. This at least we do obtain; the very clumsiness of the Commons' system brings the member who demands the division, and all his colleagues, literally face to face with each other, and with public opinion. Nor is any evasion possible; even the retractation of a vote cannot be effected, save by the physical retractation of the member himself out of one division-lobby into the other; a performance always provocative of laughter, and sometimes of contempt.

Our plan is based on the usage of mediæval Parliaments, which sent the "Noes" out into the lobby, and counted afterwards the "Ayes" seated upon the benches. Both divisions and dividers then were few in number; and time undoubtedly is consumed by following the example of our ancestors. A division of 500 or 600 voters occupies, at least, half an hour; and whether the number in the lobbies be large or small, still a division causes much interruption: debate is stopped; the House has first to be filled and then to be emptied; all have to quit their seats and to march backwards and forwards, and in and out. Delay and

trouble must arise. And sometimes divisions are insisted on, solely to cause delay and trouble. Division then follows after division, hard and fast, in quick succession; the doors of the House are closed, and the doors are opened; and the members are driven round and round the House, and in and out of the division-lobbies.

A division, however, may be demanded, not to negative a motion, but to record the names of its opposers. For this is the rule of the House: when a resolution is carried, unless a division be taken against it, the entry in the Journal appears, as if all were in agreement, if the motion be thrown out, as if the rejection came from all. The Commons never suffer the few to diminish the authority of the many; a final decision governs the whole body. Still a final protest is but reasonable; "losers should have leave to speak." And divisions, with that object, never cause any grumble. When, however, the division arises solely from the spite or obstinacy of a single man—for one voice alone can compel the whole House to go to a division—his colleagues get impatient, and the scene which follows is sometimes whimsical, sometimes lamentable.

Far be it, however, from me to inflict upon my readers the slightest inkling of the vexing quarrel so often waged over "the rights of private members," or to sermonise the House about waste of time. The following few words, however, upon the antiquarianism of the legislative system now in force, will enable me to point out a case of marked divergence between modern and former practice; and, perhaps, the writer may so far assume the position of a critic as to raise a doubt regarding a conspicuous parliamentary custom.

Before the printing-press was common property, the publication of a bill in Parliament was effected orally.

The first reading of the draft was to afford the House an opportunity of judging whether the bill was worth anything ; the second and third readings disposed of its general merit before, and then after, its amendment by a committee. And though by means of type the office of the tongue has been superseded, no better title for each stage in legislation is procurable than "a reading." On one occasion indeed, not very long ago, a member of much ingenuity in the use of parliamentary forms, to defeat a bill, gravely insisted that the ancient phrase should be literally acted upon, and that the measure should be read aloud from the beginning to the end ; but the Speaker promptly averted that infliction upon the House, by a summary rejection of the proposal. The opposers of a bill, accordingly, base their mode of attack upon that formula, and propose that the bill be read, not immediately, but upon this day six months. "This day six months" is a parliamentary expression for "to-morrow come never," and the motion is so accepted. This form of opposition is considered to have a courteous sound. In ancient times members were not so civil spoken ; if they disliked a bill, "away with it" was cried out ; or they demanded that the offending roll of paper be "dashed," torn, rejected, kicked out of the House, or tossed over the table by the Speaker.

The principle embodied in the prescribed stages of legislation may now be considered. A feeling is prevalent in the House that it is harsh and uncourteous to exhibit hostility to a bill upon its introduction ; although from the nature of the bill, it must subsequently provoke a most determined resistance. The second reading, accordingly, has become the recognised opportunity for the first battle over a measure. But whether this delay in opposition be a civil or a silly practice, the utmost courtesy cannot turn a 2 into a 1. The displaced numeral will have its revenge ; and the second-



reading stage of a bill cannot be converted into the first, without causing confusion, and imparting a lack of purpose to an act of procedure, which had, formerly, a very definite meaning.

For in days when a bill's second reading was, in reality, its reading for the second time, the then acceptance of a measure was an earnest that its principle had been so far adopted, as to impose upon the House the duty of considering the bill, solely for the purpose of amendment. That the province of a committee was, in old times, restricted to this object, is proved by Mr. Hakewel's ruling, that "he that speaketh directly against the body of the bill, may not be named upon a committee; for he that would totally destroy, will not amend." Equally during the discussion of the practice of Committees of the whole House, which arose on Strafford's Attainder bill, it was established that "though the Committee should be against the bill, they could not reject it."

Now I would not place undue emphasis upon a pre-civil-war maxim, which was established while party organisation was unknown, and cannot, therefore, be applicable to us in its entirety. Still, a usage which gave due force to the distinct decision of the House, expressed upon a determinate stage, in an established routine, acts with all the authority of common sense; and obviously danger must attend a total departure from a system so well grounded.

I will briefly point out the practical effect produced by the present custom of not commencing business at its commencement, and of putting first what should be the second step in legislation. The effect of that practice is utterly to destroy all feeling of responsibility regarding a bill, during its subsequent progress through the House, however large may have been the majority which pronounced in favour of that measure, on the occasion of the second reading.

And consequently not only is the third act in the legislative drama, when the Speaker vacates the chair to prepare for the committee, now turned into a second reading, and is chosen, as a matter of right, for the opportunity of exhibiting renewed and direct hostility, but even formal questions arising in committee are diverted to this end. Any expression of opinion upon such doings is opportunely unnecessary, for an appeal thereon can be made, in the first place, to the most distinguished advocate of freedom this country ever possessed.

Charles Fox made this indignant protest against that invasion of due order, an obstructive dispute raised on a technical question in committee: "The bill," to quote his words, "had been read a second time, and was decided. If gentlemen, therefore, when a bill was in committee, would come down and state in long speeches, general answers to all possible objections, to clauses that might be proposed, but were never meant to be proposed, debates might be drawn to any imaginable length, and the business of the House suspended at the pleasure of any one of its members. Order, and discretion in debate had been said to be distinct; with him they never could be separate. Where the distinction lay he could not see, for he always conceived that order was founded on discretion."<sup>1</sup>

Fox having thus given his evidence, I will turn to a witness, who is not only a true Liberal, but also the ablest expositor of parliamentary science that ever occupied the chair of the House. Lord Eversley thus answered a question from Sir J. Graham, touching the powers enjoyed by

<sup>1</sup> May 6, 1791, Quebec Bill. *Parl. Hist.* 29, 376. Debate on the question "That the bill be read clause by clause." For a warning to the same effect, expressed with equal brilliancy, reference may be made to Mr. Disraeli's speech, *Hans. Deb.* 146, 3rd Ser., p. 66, 19th June, 1857.

the House in the discussion of a bill. The reply was, that assuredly those facilities were ample, and "that the additional stage, which is now constantly made use of, namely, of opposing the Speaker leaving the chair, is one which is not recognised by the old practice of the House. I am of opinion, that after the House has once decided in favour of the principle of a bill, nothing should intervene to prevent discussion of its details." (Pub. Bus. Co., 1848, Ev: 31, 41.)

A few words about the custom to which members are addicted, of putting questions to the Government, and to each other, at the commencement of each day's work, may, perhaps, be not deemed inadmissible. The questions put in Parliament, in former times, related solely to matters of national import, such as the satisfaction of public indignation, caused by the collapse of the South-Sea bubble, or, later on, to allay terrors caused by the mutiny at the Nore. Although quite a different use is now made of this privilege, still the utility of the practice must be at once admitted; it clarifies the political atmosphere, averts discussion, and occasionally creates amusement. The House also, in time of trouble, may still listen, with grave anxiety, when questions are put of imperial magnitude, such as "Is it peace or war?" And a question in recent times, according to tradition, even overthrew a Government.

These, at least, are the facts which seem to authenticate that legend. On the 16th February, 1858, Lord Palmerston brought ridicule on Mr. Darby Griffith by a retort that his interrogatory, regarding the diplomatic relations then existing between us and France, "was excessively absurd." But the joke came promptly home to the jester. A few days elapsed, and Lord Palmerston was decisively ejected from office by the same impelling force which had prompted

that question—fierce anger and agitation aroused on both sides the Channel, by Orsini's attempt to assassinate Louis Napoleon.

A full admission of the utility and importance of the inquisitorial privileges of members may, however, be accompanied by some consideration for the time thus occupied; and certainly, if nearly two whole weeks of last session were occupied by the questions which members put upon the notice paper, a practice, in other respects, most advantageous, may, perhaps, be regarded in another light.

The calculations which justify that expression of doubt will be found in a tabulated form at the end of this book; and those figures, moreover, prove that if this habit continues, at its present rate of increase, six weeks, or about one-fourth of a parliamentary session, would be required to answer the questions, which the Commons will see upon their notice paper, for the session of 1897. The appendix also contains some other particulars illustrative of time-expenditure by the House.

The educative function of Parliament is, however, but part of its duty. Its questions, debates, and blue books afford instruction to the empire obtainable in no other way. Still the exercise of that unobjectionable privilege, the right of requiring the production of papers, may take an unfortunate direction. My excuse for this remark lies in the following story. A member of the Government was, at the close of the session of 1854, rather energetically attacked, because a parliamentary return had not been furnished. Mr. Fitzroy's defence was complete, merely by rendering public obedience to that order. He produced, and placed upon the table before him, a bundle composed of seventy-two reams of foolscap paper, containing 40,320 closely-written pages, and weighing 1,388 pounds. And then he told the House that the formation of that bundle

had necessitated, in the first place, the despatch of 34,500 circular letters throughout the kingdom, and then the tabulation of the 34,500 replies into 358 separate columns, upon the basis of 260 distinct calculations. And Mr. Fitzroy, in conclusion, remarked that the return had never been added up, because that operation would wholly occupy two clerks during at least a year : and that if completed, "the return would afford no information whatever, beyond what the House already possessed." This was an extreme, but not a wholly exceptional case ; the repetition of statistics in the blue books, giving in reduplicated form the same details, varying, perhaps, slightly in object, and ranging over somewhat different areas of time, does annoy the inquirer, and burthen the taxpayer for nought.

Passing from the routine of business, to the pleasures or annoyances of a parliamentary career, what that career requires of our representatives, was thus admirably described by one, who certainly never avoided work. A member's time is spent "in waiting whole evenings for the vote, and then in walking, half-a-mile an hour, at a foot's pace, round and round the crowded lobbies ; in dining, amidst clamour and confusion, with a division of twenty minutes long between two of the mouthfuls ; in trudging home at three in the morning, through the slush of a February thaw ; and in sitting behind Ministers, in the centre of a closely-packed bench, during the hottest weeks of a London summer." And if Macaulay could thus write about the passive existence of a member of Parliament, how far more poignant a description might be given of the griefs of those who incline to more activity ! The portion that awaits them, is to sit for hours, hoping, perhaps in vain, to deliver a well-conned speech, whilst they hear their pet arguments used, or mauled by successive debaters. Too often, also, have they to see the

last opportunity of advocating a topic of admitted value finally disappear, extinguished by the exigencies of an all-important discussion, by that irritating calamity, "a count out," or by the failure, after efforts often renewed, to get a place for their motion upon the order-book.

One benefit, at least, we may derive from these well-known conditions of parliamentary life. It is needless for me to explain, that a member may be perfectly unheard in the House, and yet be doing his duty there to perfection. It was a saying of three centuries ago, that "they are the wisest part of Parliament who use the greatest silence;" and certainly there are those in the House who, by wise though tacit example, and by diligence in committee-rooms, fully attest the truth of that old maxim.

Nor is aught needed on my part to enhance the respect due to that band, generally by no means the youngest among the members, who, regardless of personal distinction, comfort, even health, are regularly seen on both sides the chair in their wonted places; and who nightly, and far into the night, with silent, patient devotion, carry on the business of the empire. They steadily attend the debates, vote steadily, and steadily hold their tongues; and they are, I gladly recognise, as steadily returned to their seats, Parliament after Parliament, by constituents who know their worth.

Our representatives, then, may be silent if they please, but as busy as they like. The life of a member of Parliament cannot be an idle life. There was one, it is said, who paid 20,000*l.* in election costs, represented a county for six or seven years, and only once during those seven years appeared for a few minutes in the House. But he lived and died, a century ago. Our representatives cannot be thus neglectful of their duty. To learn their daily practice, they must be familiar with a noted treatise, contained in some

800 pages, bristling with dates and facts, and parliamentary lore. To keep pace with the progress of the session, members must hunt through the pile of papers that each morning is heaped upon their table—bills, reports, notices, votes, division-lists, &c. The official documents of each year comprise more than eighty volumes. Among other calls upon their time, the mere presentation of petitions is no slight trouble. Members are bound to certify the correctness of each petition by their signature; and upwards of 24,000 have passed through their hands during a single session. The ordinary work of Parliament, the committees of inquiry, and the alterations effected every year in the law of the land, also demand both study and attention. It may be mentioned, that the regular supply of type used to print merely a week's proceedings of the Select Committees during last session, amounted to between three and four tons in weight. The control, moreover, of the House over private enterprises, such as the supply of water to towns, or the making of railways, creates a large responsibility. Occasionally these private bills range over 10,000 closely-printed pages; and the legislation thus originated entails on many members, severe and protracted labour.

Nor can the House assign any limit to the business of a session. The manufactory of law and government at Westminster resembles all manufactories; it must take work as it comes, and when it comes. Our representatives are often in committee-rooms daily from eleven till four, and then in the House from four till two o'clock next morning. The sitting of the House, during much of the session, continues from about noon, till far past midnight; and those midnight hours of work are most exhausting. In the year 1860, and again during last session, the Commons worked, after twelve o'clock at night, during more than a hundred and fifty hours.

This exceeded fifteen thorough good working days ; for ten hours a day of head-work is enough for the toughest brain ; and these fifteen days were added to a busy session. Nor can Parliament avoid night-work. Men of active occupation are wanted there ; and the evening is the only time they can spare.

It is curious to notice how the pressure of social habits pushed the hour when the House meets for business later and later. First, six or seven o'clock in the morning were the appointed times. Then, in the year 1689, it was "resolved that the House do sit every morning at eight of the clock ;" a resolve, about four years later, altered to afford to members the reprieve of an hour. Such late hours as noon for meeting, and six o'clock for parting, were then considered grievously unseasonable. And good Speaker Onslow, some fifty years later, deplored in bitter terms the laziness of members, who declined to work before two in the afternoon. Four o'clock is now the regular hour when the Speaker takes the chair : and it has been so for nearly a century.

In one respect, the habits of the House are improved ; the Commons sit far enough into the night, but no longer all through the night.<sup>1</sup> This used to be a not very unfrequent occurrence. The first rays of sunlight, on the 2nd of April, 1792, striking bright across the House, suggested to Mr. Pitt a brilliant oratorical effect. In the year 1783, an important division occurred at half-past eight, not in the evening, but in the morning ; and Sir Samuel Romilly, who adorned Parliament about fifty years ago, it is said, met thus these untimely habits. Having joined in the debate during the evening, he returned home, went to bed,

<sup>1</sup> It has not been thought worth while to alter this statement, on account of the Tuesday-Wednesday sitting of the House upon the 31st July, and 1st August, 1877.



and rose, keeping to the ordinary hours of society. He then, in his walk before breakfast, came down to the House, that had been sitting uninterruptedly all night, and voted upon questions, which he had discussed some hours before his bedtime. Nor is the fame of that cheery gentleman forgotten, who thus began his speech: "Mr. Speaker," he said, "I make no apology for rising now to address the House, as seven o'clock in the morning is my usual hour for getting up." And though, happily for our representatives, jest so untimely is rarely practicable, still the cry of Mr. Doorkeeper, "Who goes home?" is not unfrequently heard in the lobby two or three hours after midnight.

When the labour involved by a seat in Parliament is considered, and the hours, late and early, spent in the crowded House or a fusty committee-room, why should a seat in Parliament be sought after? is a question that will suggest itself. This, at least, is thereby gained, namely, the enjoyment of the sense of power, and the gratification of a pride, very proper, if properly used, to every subject of Queen Victoria. No one, indeed, takes a more free, direct share in the government of a powerful country, than a member of Parliament. When public events knot and gather into some single question which makes or mars a Government, each member by his vote, clearly and distinctly, affects the empire's future course, and acts as a director of the vital movement of the realm.

Then again, the House is a most interesting place. Before it passes, yearly, every national anxiety. Whatever occupies the attention of this great empire makes its appearance there, be the subject trivial or important, be it the state of Rotten Row, or the conduct of a war. A parliamentary discussion also is sure to turn a subject inside out, and to disclose its precise nature. To hear this well done is no

sorry amusement ; intellectually it is a great gain. A review of each year's history, by the ablest men among us, is an admirable mode of study. Moreover, the gossip of the House is of first-rate quality. To tell or to hear some new thing, it is the best place possible. Nor are the new things repeated in Parliament only gossip. Passing events do not merely furnish talk to the House ; there they are a part of the history of our land. The pulse of Europe, the hearts of many, are not infrequently deeply affected by House of Commons' news.

One recompense, however, is not acquired from a seat in Parliament, and that is a recompense in cash. I make this statement, first, to contradict the popular, but quite unfounded belief, that members are paid for their attendance on Select Committees ; and then to criticise the more plausible belief, that gain somehow must actuate many a candidate. The cost attending a seat in Parliament, and the outlay of time and labour it involves, may perhaps excuse this notion. Yet, in truth, members can receive for their service no money-return. The ability and application necessary to acquire distinction in the House would meet outside its walls with a far more profitable return. The pay of the best-paid place in the Government is as nothing, compared to the profits ordinarily acquired by business. This still would be so, even if posts open to members of Parliament were held for life ; those places, however, change hands often, as no Ministry, on an average, retains office above three or four years. The money and trouble consumed by a seat in Parliament would, placed in a commercial enterprise, be beyond measure the more lucrative investment, even were the investor the Premier himself. And a barrister, whose parliamentary ambition is more presumably directed to profitable ends, generally, if he gains appointment to the bench, loses money by the elevation.

Just a century ago, a member free from a suspicion of corruption was the exception, not the rule. In 1777, a Prime Minister thought but little of confessing, that he had conferred, by his own signature, upon a parliamentary supporter, a bonus of 20*l.* per cent., in excess of the market price, in his sales to Government; a bribe amounting to 15,000*l.* of public money. Another member might be heard in open exultation over "that comfortable thing, a good slice" out of some equally fraudulent transaction. The House then was filled with "jobbers, place-mongers, bank-note or ready-money Parliament-men, and loanists, otherwise called scrip-men." Nor was this a sudden outbreak of political immorality; that vice had been active in Parliament throughout the previous century.

After the Civil War, the restoration of the monarchy did not fully restore the kingly authority; and the Commons gained that power in the State which the Crown had lost. To recover an influence over the House, the too natural expedient suggested itself; the Government could not coerce, but they could buy the members; and soon the sale and purchase of parliamentary votes commenced. This convenient means of governing was, of course, acceptable both to Kings and Ministers; and both tempters and tempted naturally grew bolder. Even in the beginning of this bad practice, a Minister under Charles II. declared with scorn, that, to pocket their bribes, members flocked round him at each session's close, "like so many jackdaws for cheese." And such was the height reached by that tide of corruption, that in 1762 a room was opened at the Treasury, where members flocked to receive 200*l.*, or 300*l.*, or 500*l.* for a vote. A treaty of peace between England and France was carried through the House by votes thus purchased, at the cost, it is believed, of 40,000*l.* So extinct became the sense of shame, that the Prime Minister himself was wont

to offer the money, and that most rare event, a refusal, was accompanied by sincere apologies.

A world like this seems distant from us, far further than by the interval of a century. So grave a stain upon the credit of Parliament can hardly be believed. The idea that a member could take money for his vote seems, with us, too impossible to be considered as, at all, possible. This is a wonderful change of feeling, both within the House and out of it. Not less strange are the circumstances attending this singular change. Parliamentary corruption did not die gradually away; to the end it was full-blown. No great catastrophe terrified the House from that crime. No law produced a growth of better feeling. No direct appeal, apparently, worked this improvement. Bribery among members had received denunciation, both loud and long, from the stage, the hustings, and the pulpit. Till the vice ceased, it was notorious; but when it ceased, it ceased utterly, almost at once.

Traceable as this change is to no ostensible cause, it must have been the result of some unrecognised and irresistible power. And turning to see whence this power could have originated, the source becomes apparent. The House of Commons was purified by the action of the outside world. The lofty tone of Pitt's official life, and of Wilberforce, his friend, and of like-minded men, such as Whitbread, had surely some influence over their colleagues; still more, however, it was the growing aspiration after justice felt by the nation itself, which thus acted on Parliament.

An appeal to my readers will show what I mean. Who is it that they think of as the men of mark among us, a century ago? The names of Wesley, or of Venn, would occur at once. That giant in moral stature, Samuel Johnson, would also take a foremost place; and with him would be coupled those unconscious ministers of good,

Oliver Goldsmith, the painter Reynolds, and the poet Cowper. These men maintain their hold upon our regard for their own sakes, and far more by what they were, than by what they did. So noble was the quality of their nature, so absolute their upright independence, that—precious inimitable as was their work—their lives, their example, are to us even more precious. The idea of offering Doctor Johnson a bribe, is an absurdity. His answer, a kick, and “Sir, you are a scoundrel,” at once suggests itself. Even Oliver Goldsmith, the poorest, and least straitlaced of that company, jealous for his self-respect, refused the offers of men in power, and, inspired by sacred folly, told them that he could live by book writing, but that if they wished to do him kindness, he had a brother who wanted help. And exquisite as was the genius of our most charming painter, and sweetest poet, they themselves imparted to all around refined impulses, far beyond the gift of art.

These were the salt of England: thanks to lives like theirs, the judicial bench had long been freed from the stain of venality, and the acceptance of a bribe became a shame, even in a society by no means scrupulous. Could a more signal instance be given of the fact, that a representative assembly must, of necessity, reflect back, not merely the political, but the moral aspect of those they represent, and is wholly dependent upon them, both for tone and aim? And certainly it was a happy thing for all, that, a century ago, this old wise saw proved true, that “The House of Commons is the right English mirror of the English people.”

### CHAPTER III.

#### *The Speaker of the House.*

MANY are the points of view afforded by so many-sided an institution as the House of Commons ; and I propose to take as my vantage-ground, during this chapter, the steps leading up to the Speaker's chair. The dignity, authority, the very being of the House centres there. To us it seems impossible, that this ever could have been otherwise ; equally impossible would it have been to members, subjects of Tudor or Stuart monarchs, to regard that chair save as the seat of their worst enemy, who had sent many a stout-hearted colleague to imprisonment and the Star Chamber. Nor was that memorable incident, the scene of the 2nd of March, 1629, when the House with threats and entreaties, but in vain, strove to compel their Speaker to put a resolution to the vote, either the first, or the last occasion, when they were defied, or thwarted by one who should have been devoted to their interest.

So servile were Speakers then, so absolutely the King's creatures, that, had not Charles I. been wondrous blind, he might have seen in their conduct a prognostic of his fate. For, if such men turned against him, what sign of the time could be more ominous ? And on two occasions this took place. The first sign, however, came too early, and the other too late. In the spring of 1640, the Speaker of that Parliament, which Charles so speedily dispersed, took

the opportunity afforded to a Speaker by a committee of the whole House; he joined in the debate, and attacked with outspoken words the ship-money tax, and those illegal decisions by which obsequious judges had fastened that impost upon England. The Commons must, indeed, have been astounded to hear a Speaker denounce that very tax, which was the keystone of his royal master's policy. And again, surprising as was that attempt to arrest the five members, Lenthall's declaration that he was bound by his office to disobey the King, must have created equal astonishment. When he spoke, it was by no means certain how that attempt might end. Charles was obstinate, his soldiers were at hand. The Speaker, however, though notoriously an adherent of the King, decided against him; and though that prudent course was afterwards justified, yet the immediate effect of Lenthall's public submission to Parliament is, by us, almost inappreciable.

The false position thus occupied by the holders of the Speaker's office was, indeed, productive of injury to all. Besides the lack of corporate dignity and uncertainty of action which it inflicted on the House, the chair itself felt some of the mischievous results of its subservience to the Crown. Despising, disliking every Speaker, the Commons retorted against them by rudeness and disorderly behaviour, and even thus recorded upon the journal their unseemly conduct:—"16 July, 1610—Affirmed by Mr. Speaker, that Sir E. Herbert put not off his hat to him, but put out his tongue, and popped his mouth with his finger, in scorn;" or, again, "that Mr. T. T., in a loud and violent manner, and, contrary to the usage of Parliament, standing near the Speaker's chair, cried 'Baw!' in the Speaker's ear, to the great terror and affrightment of the Speaker and of the members of the House."

The post-Restoration era was not of a character likely to

correct such evils. The Speakership still continued part of the royal establishment, and those who sat around the chair were ill-conditioned, both in manners and morals. The annals of that time contain many an altercation between the House and its Speaker; and his rebukes were met by retorts against his notorious profligacy and obvious partiality, and he was often warned to keep to the truth, and to keep himself in order.

And persistent ill-luck seemed to haunt that office, for grievous failure attended the earliest effort to ennoble the Speakership. This endeavour was made shortly after the Revolution. Parliament, under William III., having acquired the position which was its due, sought to do the like for the Commons' Speaker; and he received, by statute, the rank and style of "First Commoner of the Realm." But the very first of our First Commoners was, by singular irony of fate, Sir John Trevor, the most ignominious of Speakers; and his public assumption of official rank was separated, only by a week, from his not less public and official degradation. As this singular coincidence has been unnoticed hitherto, I must tell the story.

Trevor began life a strange-looking lad, with features distorted by an unrivalled squint, stationed at the outer door of a lawyer's office. The lawyer, to account for his adoption of one so unattractive, said, "He is set there to learn the knavish part of the law." The lad soon had it at his fingers' ends; his cleverness—for he was clever—brought him much to do; and he decided gamblers' disputes, quarrels over a bet, and such-like queer legal cases, with marked ability. Soon Trevor rose to disreputable eminence. As time went on, he rose to quasi-reputable eminence. In some thirty years he mounted from the lawyer's stool to the Commons' chair, and that position, under the then



recent statute, assigned to him a most distinguished place in a national and royal procession.

This procession was the funeral train which followed to the grave, Queen Mary, the wife of King William III. Her burial took place on the 5th of March, 1695, a day long memorable in London. The whole nation was touched by her death, politically, for she was of the ancient royal stock ; and socially, for she was generally beloved. The deep, wide instinct of humanity, also, was touched by a death, sudden and terrible as was the Queen's death, caused by malignant small-pox. Constrained by sympathy, Parliament resolved to follow her to the grave. Never before had Parliament attended a royal funeral. Robed in mantles of scarlet and black, accompanied by their official insignia, both the Lords and Commons walked behind the hearse, through London draped in mourning. And with them was represented the whole English nation, the nobility, judges, the Lord Mayor, all the authorities, both civil and religious. And walking in this solemn procession, between the Peers and the House of Commons, in a space set apart to do him honour, with the mace before him, and his train borne up, appeared Sir John Trevor, the Speaker of the House of Commons. Nor had any of his predecessors ever received such public distinction as he did on the 5th of March, 1695. Within seven days came his fall. On the 12th of the same month, again as Speaker, standing in his high official place, he had to read aloud these words : —“ Resolved, that Sir John Trevor, Speaker of this House, for receiving a gratuity of 1,000 guineas from the City of London after the passing of the Orphans Bill, is guilty of a high crime and misdemeanor.”

During all that 12th of March he had sat conspicuous, exalted, while his guilt was exhibited in full ; whilst it was proved that he had taken money to further the progress

of a bill through Parliament—whilst all the particulars of his offence were read aloud from the beginning to the end.

And so, in accordance with the evidence, and his position in the House, Trevor was compelled to rise, to read aloud, and to put to the vote, that resolution descriptive of his guilt. His words were quickly answered by shouts of "Ay! ay!" And then, as Speakers do, he had to ask, if any present were of a contrary opinion; but to that question came no answer. To say "No" was an impossibility. So, as Speaker, Trevor had to pronounce his own condemnation. "And then the House rose; he went his way, and came there no more." He pleaded illness, another Speaker was chosen, and soon afterwards Trevor was expelled.

It was not to magnify the Speakers of our time that I have related the story of Trevor's fall. Their high position, thanks to a long line of noble predecessors, and to themselves, needs no contrast to set it off. Yet much is due to that worthy man, the Speaker Onslow, whose tenure of office closed just over a century ago. He took the chair when the shame of unworthy Speakers was fresh in public memory, and he raised that post to its present dignity. He asserted, and was able to assert, the true authority of his office; he cleared himself of every shadow of partiality, even at a pecuniary loss. When chosen, part of his official salary was paid to him by the Government. This was the custom then; but the mere hint that, perhaps, a feeling for his paymaster, the Government, biassed his judgment, made him refuse to receive that salary a day longer. And this lofty conduct Arthur Onslow maintained during three-and-thirty years of official life.

As the election of a Speaker, and the ceremony by which Parliament is opened, are consequent the one upon the other, I propose to couple together these events in my

narrative. And, trusting that my pleasure in linking the Parliament of to-day with Parliaments of long ago is not distasteful, I will endeavour to picture these events in the guise of the Elizabethan era.

On Monday, April 2, 1571, the Parliament beginning, the Queen's Highness, our most gracious Sovereign, the Lady Elizabeth, about eleven of the clock, left her palace at Whitehall. And thus she made her ancient, accustomed, most honourable passage along the road towards Westminster. First appeared her Majesty's guard of state; and then, attended by heralds, pursuivants, and trumpeters, the ministers of justice, of religion, and of government followed in solemn order, one after the other,—knights, bannerets, esquires, judges, justices, barons, bishops, earls, viscounts, and the officers of royalty bearing the Great Seal of England, the gilt Rod of Royal State, the golden-sheathed Sword and the jewelled Cap of Maintenance, all vested in their Parliament robes, mantles, circots, and hoods. Then came the Queen—the Queen Elizabeth—robed imperially, and upon her head a wreath or coronet of gold, gleaming with pearls and precious stones. Her coach was followed by the Master of the Horse, and by forty-seven Ladies and Women of Honour, a company of the Royal Beefeaters, in gold-laced coats, going on every side of them; trumpeters sounding, heralds riding, all keeping their rooms and places orderly.

Her Majesty being thus conducted, with royalty, into the Upper House of Parliament, and apparelled in her Parliament robes, there she sat in princely and seemly sort, under a high and rich canopy; the Lords, spiritual and temporal, before her, ranged in order due, and the judges on the wooolsacks in the midst. Notice, then, that the Queen was on the throne, was given to the knights, citizens, and burgesses of the House of Commons. They, thereupon,

repairing to the Parliament House, were let in, and stood together, behind the bar at the lower end. The Queen Elizabeth then rose from her regal seat, and with a princely grace and singularly good countenance, spake a few words thus :

“ My right loving Lords, and you our right faithful and obedient subjects, we, in the Name of God, for His Service, and for the safety of this State, are now here assembled, to His glory, I hope ; and I pray that it may be to your comfort, and to our common quiet and to yours, and all ours, for ever.”

Then looking on the right side of her, towards the Lord Chancellor, she willed him to show the cause of the Parliament.

Thereupon the Lord Chancellor spake, and “ declared, in Her Majesty’s name, that this Assembly of Parliament was for three causes called ; namely, For the glory of Almighty God, For the health and preservation of her Majesty, and For the welfare of the Common Weal.” Then turning his speech unto the Commons, standing in a heap together below, the Lord Chancellor willed them to make choice of “ one to be a mouthpiece unto them.” Therefore he said, “ Go and assemble yourselves together, and elect one, a discreet, wise, and learned man, to be your Speaker.”

This “ accustomed pompous and royal manner ” in which the Queen “ of glorious memory ” made her “ passage ” to Westminster, closely resembles the state procession with which our Queen—a Queen not less beloved—now opens Parliament. And upon precisely the same errand have both Queens come to Westminster. For now, as then, Parliament cannot commence business till told to do so by the Sovereign. Thus it has been throughout the existence of Parliament ; and equally unremitting has been its protest against royal dictation. For centuries the Commons, first

of all, at the beginning of every session, have read a bill the first time, to prove that redress of grievances has a prior claim in Parliament, over the wishes of the Sovereign. And this form is still observed, although it is only a thorough form, subjects and monarchs being no longer hostile parties in the State.

The description, also, of the Commons standing crowded "in a heap," behind the bar, at the lower end of the Upper House, to hear Elizabeth, exactly tallies with what is witnessed by Victoria. Just as they did 300 years ago, when summoned to attend the Royal Speech, our representatives rush in and crowd the space below the bar, in the same tumultuous, uncomfortable style. Solemn as is the occasion, the sight is so quaint as to have provoked a smile, even from Her Majesty.

Returning with the members to their House, we find them in the act of obeying the royal command; they are proceeding to elect their Speaker. A member of high, but unofficial position, rises to propose a candidate for the chair; and, if no one else be named, the election passes, by acclamation. This is not always the case; out of the eleven Speakers chosen during the last hundred years, seven were elected by divisions after long and hot debate. The choice made, the Speaker-elect rises, and makes due acknowledgment of the honour and responsibility imposed upon him; and in old times, when formal ceremony prevailed, Speakers-elect were wont to insist, with sham modesty, on their unfitness, and prayed, with sham earnestness, that another might be chosen in their stead.

Supposing, then, that Parliament has met for the Session of 1597, and that an honourable member has risen to propose the election of one to fill the chair. To that place of dignity, "in his opinion, he thinks, that wise, learned,

religious, and faithful man, Mr. Serjeant Yelverton"—here he stays a little, looking upon him—"is the fittest man to be preferred." Whereupon Mr. Yelverton blushes, puts off his hat, and sits bare-headed, whilst the whole House gives its consent, crying, "Ay! ay!" Then ensues a pause and silence; until Mr. Yelverton, rising up, makes a humble reverence, and speaks thus much: "Your Speaker ought to be a man big and comely, stately and well-spoken, his voice great, his carriage majestical, his nature haughty, and his purse plentiful. But, contrarily, the stature of my body is small, myself not so well-spoken, my voice low, my carriage of the common fashion, my nature soft and bashful, my purse thin, light, and never plentiful." His self-abasement ended, Mr. Yelverton is, of course, immediately installed in that chair, "the ancient seat of Speakers."

Here, again, the supremacy of the Crown reappears. Before a Speaker can act, he has to ask for approval from the Sovereign. This approval has been given almost always, but not quite always; it was refused, just two centuries ago, by Charles II. to the proudest of his subjects, Sir Edward Seymour, who had been, at the opening of the new Parliament of 1678, unanimously chosen Speaker. Seymour was personally obnoxious to the King; yet, full of confidence, knowing that the royal approval had never before been withheld, he presented himself at the bar of the Lords to fulfil that ancient ceremony. And with looks asserting the pride he felt, with undaunted assurance, Seymour thus spoke to the King: "I am come hither for your Majesty's approbation." Such a style no Speaker had ever used before; to declare that they could hardly stand in the King's presence, to beg that they might be freed from a post too high for them—such was the customary fashion for Speakers, when they addressed the Throne. But, for the first time, excuse or apology was dropped;

Seymour, for the first time, assumed that, of course, he should receive the royal sanction, and that he should return to the Commons as their Speaker. Beaten, however, even by such unusual arrogance, Charles was not. He declined to give his consent; Seymour was sent away, but not as Speaker. Most indignant were the Commons: they addressed the King three times over, with angry remonstrance, but in vain; he was quite within his right, and they had to yield.

In theory, the Speaker quits the chair with the Parliament which elected him; but, in practice, except for some grave cause, he is retained in office until he tenders a resignation. His charge is one so difficult and delicate, that the least possible change in administration is desirable. Even more desirable is it, that Speakers should, every way, be cleared from all suspicion of political bias and personal obligation. The Commons, therefore, never displace a Speaker merely because he is not one of the party in power. This salutary principle was clearly established in 1841, by Sir Robert Peel, a supreme authority in matters parliamentary. He met that year a new House of Commons, with an assured Tory majority; the Speaker of the former Parliament was a Whig; yet the Premier, "with great satisfaction," earnestly supported the re-election of Mr. Shaw Lefevre, for the very purpose of maintaining that a Speaker "who had ably and conscientiously performed his duties should not be displaced, because his political opinions were not consonant with those of the majority of the House."

My readers need hardly be told that the occupant of the Commons' chair is called Speaker because he is their "mouth," because he speaks for, not to the House; and in ancient times he had much to do in this capacity. When-

ever the Commons appeared before the Sovereign, he, at their head, was wont to pour out profuse, long-winded strains; for four hours, once, did the Commons' mouth hold forth before his monarch, James I. Another, who promised to be a "plain Speaker, fit for the plain matter, and to use plain words," entertained Elizabeth with an "excellent oration," extending over two hours. And, as might be expected, so much talk, for talk's sake, drew from that "mouth" much offensive flattery. Kings were likened to good Hezekiah, to wise Solomon, to the glorious sun, even to a God. Honied words such as these have, however, met a fit reproof. Speaker Croke told Queen Elizabeth that England had been saved from the Spanish Armada by "her mighty arm." "No," she replied, "by the mighty hand of God, Mr. Speaker."

It was the contrary fault in style that Speaker Norton committed. The language of a speech of his to George III. was marked by maladroit independence. The sole occasion now when Speakers address the Sovereign on the throne, is at the close of a session, when they offer a money bill for the royal acceptance. To do this, during the session 1777, Speaker Norton presented himself at the bar of the House of Lords. The King was on the throne, and the Speaker began as usual; but he did not end in the usual way. The King was not assured that the people cheerfully opened their purses to supply the royal wants; on the contrary, George III. heard from the Speaker a fervid description of the distress of his subjects—distress assigned especially to over-taxation—and thus he ended: "In spite of all this, the Commons have granted to your Majesty a great additional revenue, great beyond example, great beyond your Majesty's highest expense."

Though these opportunities for oratory are rare, the Speaker, in other ways, not unfrequently appears as the



official representative of the House. He leads the Commons to the palace, and acts, in their behalf, when they present an address to Her Majesty; or he returns thanks, in their name, to those leaders in war who deserve well of their country. The House never distinguished itself better than on the 1st of July, 1814, when the Duke of Wellington stood at the bar, and Speaker Abbot, with glowing words, and all the members, standing up, by their loud applause acknowledged what that great soldier had done for us.

The duty of a Speaker, if broadly considered, resolves itself into the maintenance of order; though this responsibility branches out in many different ways. His eyes need to be constantly on the range over the congregation around his chair. Members do not, indeed, "take tobacco" in the House, as the gentlemen who followed Marlborough to war were wont to do. Nor are nuts and oranges eaten on its benches. Still, members, now and then, cross between the person addressing the House and the Speaker's chair; occasionally they do not "uncover" whilst they are walking to and fro; they often congregate in noisy clusters, and talk and laugh; and in many ways they need the call of "Order! order!" Orders promptly obeyed, and as promptly disobeyed. "My chair is no bed of roses," the remark of a Speaker of old times, at all times is applicable to his successors.

In truth, anxiety and care is ever present to them. They have to rule, to guide aright, a crowd of 400 or 500 men, often heated with party strife, often vexed by, or vexing each other, always restless, always wanting control. And painful as is an outbreak of grave disorder, the suddenness of the explosion frequently augments the distress and perplexity of that uncomfortable moment. The

memorable storm of the 23rd April, 1823, when the Speaker was compelled to pass a severe censure upon the Leader of the House, broke forth quite unsignalled. The surface of discussion that day was smooth, the tide of talk ran slack, when Mr. Canning, stung to fury by an unexpected onslaught from Mr. Brougham, rose, his eyes flashing anger, and exclaimed, "I rise to say that that is false." Such a terrible outbreak of passion startled the House into an absolute silence, of some duration; nor was the silence interrupted, save by Speaker Abbot's words, who, in a low tone, expressed a hope that the right hon. gentleman would retract that expression, and would remember the responsibility attaching to his high rank and station in Parliament. Canning, however, incensed and justly moved, refused; and so the wrangle continued. The Speaker appealed to the House for aid; a motion was proposed for the committal both of Mr. Canning and Mr. Brougham to the Serjeant's custody, and the utmost confusion seemed imminent. At length, after much stormy dispute, a mode of explanation was suggested which justified the withdrawal of the attack and the reply. But though order was restored, the painful impression of that scene was not soon forgotten.

Even the ordinary discharge of his functions requires from a Speaker constant vigilance. The charge, for instance, laid upon him of keeping debate strictly to the subject of discussion, may be deemed, perhaps, not so very onerous a task. The correctness of this impression can be thus tested:—A debate took place not long ago on what seems, at first sight, a very straightforward topic. The motion before the House was a resolution imposing a duty on silk, and to that subject, the silk duty, members at first kept steady; when by degrees, insensibly, like the changes in a dissolving view, the impost on silk disappeared, and the

Speaker heard, instead, a powerful sermon on the love of money, and the national cowardice it caused. The love of money certainly did not touch directly the importation of silk—so back to the right subject the Speaker gently recovered the debate; but no sooner had he done so, than it had quitted the track again. A member took a lively interest in corks. Corks are taxed as well as silk; and he soon contrived to twist his arguments away from silken goods, to the fiscal injury inflicted upon “corks squared for rounding.” The Speaker therefore had to take the House off the griefs of corks; when, for the third time, the debate started away from commerce in silk, to commerce in general. Everybody that could, joined in; all were agog to discuss the whole principle of free trade. So again those eager disputants were recalled to the silk-resolution; and then, after all, the Speaker’s pains were fruitless: for the fourth time talk in the House became discursion, not discussion.

Nor can the call upon a Speaker to give his casting voice, when it does arise, ever strike lightly on his ear. The principle, indeed, which prescribes that his vote should be given, so as to leave, if possible, the matter in dispute open for another decision, does, in some degree, simplify that duty. Yet, all the same, it must be a crisis of much agitation, when the Speaker is compelled to rise and to conclude, even for the instant, a hotly-contested dispute. Some two hundred years ago a Speaker was so unnerved by that occasion, that he stammered out first, “I am an ‘Ay;’” then,—“No, no, I am a ‘No,’ I should say;” a state of puzzlement that provoked laughter, and rude remarks, that “Mr. Speaker was gone.” And even nowadays the moment of the casting vote is always an exciting moment. In 1861 the Church-rate Abolition Bill reached a third reading. Long

and warm was the debate ; the division then took place. The crowded House was eager for the announcement of the numbers, for it was known that they ran close. Great then was the stir ; great also the amusement, when the votes proved exactly equal—274 Ayes, 274 Noes. “ A tie, a tie ! ” was shouted by many, amidst noise and laughter. The uproar was quieted, the Speaker rose, and the stillness of the expectant House became almost oppressive. And though everybody anticipated the course which the Speaker would take, yet no one could hear unmoved the single voice decide upon the fate of 548 brother members.

A Speaker, once, was driven into a corner. “ Ay ” or “ No ”—guilty, or not guilty—must, as it happened, be settled by his casting vote. For the question was whether or no Lord Melville, as Treasurer of the Navy, had been guilty of official misconduct. It was during the year 1806 that this accusation was brought before Parliament, and it provoked, as may be supposed, the utmost zeal and heat. The Prime Minister, Mr. Pitt, was strong on Lord Melville’s side, his friend and colleague ; but their antagonists in the House were zealous and powerful. The fierce discussion ended with an even vote : 216 members declared for Lord Melville ; 216 voted for his guilt. His fate was thus placed in the Speaker’s hands : it abided decision by that one vote. It was long before Mr. Abbot could rise ; agitation overcame him ; his face grew white as a sheet. Terrible as was the distress to all who awaited the Speaker’s decision, terrible as was his own distress of mind, this interval of suspense was protracted for upwards of ten minutes : the Speaker sat there in silence ; all were silent. At length he rose, he spoke, and he condemned Lord Melville. Immediately the Prime Minister crashed his hat over his brows to hide the streaming tears that poured down over his cheeks ; he pushed in haste out of the House. Some

among the Opposition, to their disgrace, thrust themselves near "to see how Billy Pitt looked." His friends gathered in defence around, and screened him from rude glances. During a quarter of a century, almost ever since he had been a boy, Mr. Pitt had battled it in Parliament. He had experienced there not victory only, but also defeat. This defeat, however, he sank under; it was his last. He died ere many months elapsed. The death of that great man was hastened by Speaker Abbot's casting vote.

With patience—to sum up what is required of a Speaker—he must be largely endowed. It was calculated that whilst Mr. Shaw Lefevre held the chair, the House sat considerably more than 15,000 hours. One of his predecessors, indeed, about a century ago, was wont, occasionally, to exclaim aloud, "I am tired,—I am weary,—I am heartily sick of all this." Such outbursts of impatience have long since died away. Nor was it even poor Speaker Onslow who thus gave way, during the memorable debate of the 22nd December, 1741, when he sat without intermission seventeen hours in the chair.

Some definition of the Speaker's authority, it may be felt, should accompany a description of his duties; but that cannot be accomplished in few words. His office is marked by a singular contrast. He commands implicit obedience, his presidency seems imperative, and yet in some respects no one in the House is so powerless as the Speaker. The ancient rule, that he must not "sway the House by argument," is, for instance, so strictly maintained, that he must, in silence, hear it adopt rules of practice which he will have to enforce; and, though he might reasonably object to the tendency or wording of those regulations, yet he must not utter any opinion upon matters with which he, as Speaker, has more to do than anybody else. Nor can he regulate

the order of the business. Though a whole evening be wasted by an injudicious arrangement of the evening's work, he may not interfere. Strong condemnation, even by hisses, followed a suggestion, made as long ago as the days of Queen Elizabeth, that a Speaker should settle the order of each day's proceedings.

The Speaker, again, calls on the debaters in the House; he decides who should speak, as being the first who rose and caught "the Speaker's eye." But after all, his decision may go for nothing, for it is in the power of the House to settle whom they will hear. A case in point is a matter of history. During the year 1782, the American Colonies achieved their independence. George III., however, obstinate to the last, aided by his Minister, Lord North, would not admit that all was ended between England and America. The Commons were otherwise resolved; and, after a six weeks' struggle, the King had to yield. The Minister, in consequence, hurried down to the House to announce his resignation, and rose to speak, expecting that, according to ordinary courtesy, he, as Premier, would be heard at once. To be courteous to him, however, the members were not inclined; they loudly insisted that another, who had also risen up, should speak first, and that Lord North should yield. Skill, however, in debating tactics, promptly gave him his opportunity. No sooner was the motion, that the other member be first heard, proposed from the chair, than Lord North started up to speak upon that question; and he immediately cut discussion short by the declaration, that he was no longer a Minister of the Crown.

Nor does the Speaker possess a chairman's ordinary right of stopping business during the absence of a quorum. Thus, if one member proposed a motion, and another seconded it, the Speaker would have to put their proposal

to the vote of the House, though composed only of himself and that couple of voters. And if the two were unanimous, their resolution would appear upon the Journal as if it had been the act of our representatives *en masse*. Nor could the Speaker interpose; as he cannot, save upon a member's suggestion, notice the number which is before him.

But the hint once given, "a count" of the House must take place, and debate is promptly stopped by the Speaker's cry of "Order! order!" During two minutes the division bells are set ringing, and the doors of the House thrown open. Then the Speaker counts the heads upon the benches, and if the required forty be not present, the House, debate and all, is closed for that evening. Yet, though the Speaker cannot himself take the initiative, the presence or absence of a quorum is not a subject to be trifled with. A few years ago, about a score of our representatives were giving grave attention to a brother member of much gravity. And had he kept so, he might have ended his talk. But it was never ended. Vexed by the scanty attendance drawn together by his all-important subject, he joked about the crowded benches, the packed House, that he pretended to see around. The jest was fatal; he had referred to the number present, and the Speaker was called upon to determine what it really was. "Order! order!" from the chair silenced the debater. Amazed he sat down, quite ignorant of the answer his witticism had received. Then the Speaker rose in all solemnity; in due custom he began the regular "One, two, three," as his extended arm swept around in stately circuit. Soon all was over; and the House broke up, much in laughter over the luckless orator who had counted himself out.

The condition of disability which, in various ways, is thus allotted to a Speaker, springs from the jealous suspicion with

which the Commons but too justly regarded him, in former times. And hence arises the remarkable charge which is laid upon him—namely, the duty of maintaining order, without the power of compelling order. He cannot commit a member to custody, flagrant as may be his conduct; he cannot even order him to quit his place in the House. The utmost coercive authority entrusted to a Speaker is formally and distinctively to call upon a member by his name. An indirect rebuke is hereby implied; this act shows that, owing to that member's disorderly behaviour, he is no longer entitled to bear, according to wonted usage, the name of the constituency which he represents, and marks that he has ceased, for the moment, to be a member of Parliament. And the House, immediately upon that call, is bound to assist the Speaker by a manifestation of its displeasure. Mention of this, the last resort of a Speaker's authority, recalls inevitably the standing parliamentary jest, that a Speaker once confessed, "Heaven knows" what would be the result, if he named a member. A century-long repetition of this joke may have dimmed its ancient humour: but though stale, the remark has still a meaning. A measure of uncertainty implied about the exact scope of their chairman's authority, quite harmonises with the idea of their president, which the Commons have shaped out for themselves. That idea is to keep, to the fullest extent, the power in their own hands, while extending as much respect as possible to the occupants of the chair.

This method of government possesses more serviceable capability than can, at first sight, be accorded to it. The Commons are thereby made responsible for themselves, and for their own self-control. It is for this reason that their Speaker has the greater moral power, because he possesses no actual power; he is the more implicitly obeyed, because he represents the principle of obedience without the means



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of compelling obedience. For what, under these circumstances, does the sound of his voice do? It reminds the House that the maintenance of its own dignity is its own duty; and that, to quench disorder, members must keep themselves in order. The source of the Speaker's authority is, in truth, an appeal to right reason. And thus, although, *il n'a pas de sonnette sous la main : il se lève, et ce mouvement commande le respect.*

#### CHAPTER IV.

*The Serjeant-at-Arms, appointed by Her Majesty to attend upon the Speaker of the House of Commons.*

PARLIAMENTARY privilege is a phrase of antiquated sound, and the ancient title, "The High Court of Parliament," may be deemed both old-fashioned and obsolete. Many, also, of those who regard, with reverence due, that gentleman whose official style heads this chapter, are quite ignorant that he holds the key of the Commons' prison-house, and of the existence, even, of that establishment.

That prison, however, is not merely a mediæval curiosity; it forms an essential adjunct to the Serjeant's high authority and trust. Nor do those words "Privilege," or "The High Court," express an extinct claim on our respect: the existence of Parliament, and of the Constitution itself, are mainly due to the principle embodied in those words.

The Privileges of Parliament, and its title the High Court, are not, then, phrases so futile as they seem. When there was war between Kings and Commons, though privilege could not protect the property or persons of individual members, still the virtue of that word was stout enough to preserve the corporate rights of their assembly. Even the very being of the House was once guarded from destruction

merely by that word, for dread of the consequences of such a breach of privilege, as the violent dispersal of the Commons, was the sole barrier which kept back the armed followers of Charles I., when he attempted to seize upon Pym and his four associates.

But the Parliament of that era could not claim the prerogative rights included in the word privilege, as a legislative body : privilege answered to its call because Parliament was also a High Court of Justice ; there lay the secret of that possession : by no possibility could the highest judicial tribunal in the land be denied the power, enjoyed by every petty law court, of punishing disobedience, or insult. Nor could Parliament have acquired those powers in a better, or, indeed, in any other way.

If the Commons, during an hour of victory, had asserted, for the first time, the right to defend themselves, or to punish resistance to their orders, such a right as a new thing would never have gained that respect, which it has invariably commanded. And at what period in our constitutional history would such powers have been conceded ? Certainly no Tudor or Stuart monarch would have made such a concession, however menaced or entreated : nor, indeed, would any chief magistrate have willingly yielded it, if conscious that it could, assuredly, be turned against himself.

And even supposing that the corporate existence of Parliament might have been ensured by any means, other than the defensive action of its privileges ; still if it had been devoid of those methods of coercion, which are the common property of every court of justice, how crippled the Commons would have been, when they were first feeling their way towards that eminent state-control, with which they are now invested.

To take as an illustration of this fact, the governmental system inaugurated by the Revolution. Nothing marked the

new policy which came in when the Stuarts went out, more than the searching inquiry made by the Legislature into the departmental action of the government ; but if Parliament, even at the moment when it placed William on the throne, lacked merely that ordinary privilege, the power of sending for " persons, papers, and records," the officials of the Crown would never have obeyed the Serjeant's messengers, nor can I believe that the King would have readily opened the desks of high state officials, to the researches of the House of Commons.

The examples which I shall give of penal authority exerted by the Commons, may perhaps seem to turn rather on the abuse, than the use of parliamentary privilege. My choice, however, is capable of this defence—it was made partly because of the curiosity of these examples, but mostly because it enables me to point, with some emphasis, to the way in which the Commons learned the just application of those powers. Nor should it be forgotten that parliamentary privilege, however misdirected, was once both a popular and a victorious war-cry ; and that the right of summary commitment has been, and will ever prove, an efficacious means of defence, if Parliament be threatened by menace, either within its walls or from without.

The mere craving to oppress rarely suggests a misemployment of coercive power : that misemployment, with us, at least, usually springs, not from badness of heart, but from wrongfulness in the head. This, anyhow, was the prompting cause which, a century ago, rendered the penal prerogatives of the House both a snare and an evil to members of Parliament. Thus urged on, they voted everything that they thought wrong, to be an insult to themselves, and to be punishable as a breach of their privileges. Even before the time when this untoward theory was pushed

to its uttermost, the acute Mr. Selden had remarked that, "Parliament men are as great princes as any in the world. Whatsoever they please, is privilege of Parliament, whatsoever they dislike, is breach of privilege."

And once started upon this wrong track, the Commons did many an odd thing to maintain their privileges—odd, I mean, when looked at with the eyes of 1878, and not of 1778, or 1678. Year after year, or rather month after month, London saw, either fronting Westminster Hall or before the Royal Exchange, stacks of books heaped ready for the burning; and hard by stood the common hangman, with his flaming torch, ready to begin the blaze; whilst the city crier proclaimed—These are seditious books burnt by Order of the House of Commons. Nor did any writing, however foolish, escape their scrutiny. One man endeavoured to convince those who cared to read his pages, that men have no souls, that belief in the human soul was a heathenish invention; and another book appeared proving that death was an absurd weakness, and that if we had but sufficient strength of mind we might live for ever. And the House was straightway on the stir to punish, and to send to Newgate, these eccentric philosophers.

On sermons, too, the Commons kept a watchful eye. So watchful, that a clergyman who slandered from his pulpit the memory of Queen Elizabeth and of Hampden, was haled away out his church in Bristol, and handed over to their Serjeant. The House, however, was all but seduced into an absurd blunder by this research after politics in divinity. It was actually proposed that the hangman should burn a sermon for which the members had themselves given solemn thanks.

Not much above a hundred years ago, during January, 1772, a sermon was preached before the House of Commons in St. Margaret's, their official church. And Dr.

Nowell, according to the fashion of the times, having preached his sermon, received the thanks of the House, and a formal request to print and publish his discourse ; all of which was recorded in a resolution duly put from the chair, and entered on the journal. Dr. Nowell, in due course, obeyed that order ; and the House was straight-way in a storm. The members were indignant to find that their own preacher had uttered before them political doctrines directly subversive of parliamentary government and of the British Constitution. Enraged, the Commons were in the act of ordering off the sermon to the hangman's bonfire, when, fortunately for their credit, some one turned to the title-page, which showed that the publication they were condemning had been printed by their own printer according to their express direction, and with the express approbation of a resolution of the House !

The mistake regarding Dr. Nowell's sermon cannot have been the sole mistake which the Commons made in the supposed defence of their privileges. This fact is, I think, fairly established by the following slight catalogue of those who have been punished for this offence. Kneeling, as culprits, before the bar of the House, have been seen :—poets, ploughmen, peers, hackney-coachmen, ministers of the Government, widows, bishops, pages, lawyers of all sorts, the Lord Mayor of London and many City aldermen, clergymen of all degrees, sheriffs, bailiffs, ballad-singers, a milk vendor, authors, printers, newspaper editors, and publishers.

Nor do the offences furnish a less singular variety : such as,—jostling against a member of Parliament, taking his cloak, bolting off with his coach and horses, striking his servant, snaring his rabbits, tearing his rabbit-nets, lopping his trees, ploughing his warrens, fishing his fish-ponds, killing his sheep, and, lastly, carrying off a dead body.

This extraordinary breach of privilege must be explained. A member, as executor to a will, was arranging the funeral of his dead friend. A quarrel arose; and the family took possession of the corpse that they, and not the executor, might manage the burial. So he put his privileges in force; and, as is duly recorded in the journal of the 12th December, 1661, the House of Commons sent their Serjeant and his messengers "to make diligent search for the said corpse," to the end that the said member of Parliament "might decently inter the same."

Another and more important feature of parliamentary privilege is the protection it affords to members against interference from without; and this right, as established by those well-known constitutional maxims, freedom of speech and freedom of person, asserts that entire independence which should be secured to legislators, whilst in the discharge of their duty.

The concluding pages of this book are devoted to the memory of Sir John Eliot; a description of his sufferings sums up all that can be written regarding the right of free speech in Parliament. I will therefore turn to those quaint anecdotes which group themselves round that other branch of this privilege, the exemption from arrest. This is an essential and just privilege; on all accounts it is proper that a member should be protected from imprisonment for debt; yet, like all the powers of the Commons, it was one of growth. This great difficulty met them at the commencement. When once locked up, it was not easy to get members out of gaol. This cause of perplexity was absurdly illustrated by the case, known as Sir T. Shirley's case.

When Parliament met in the year 1603, he could not repair to his wonted seat at Westminster, he being then a

prisoner in the Fleet, on account of an unpaid debt. To obtain his release, the Commons first appealed to the law courts; but their help was of no avail. The Commons then tried the force of privilege. They sent for the warden; he obeyed their call, but he refused to part with the body of Sir T. Shirley. So the Commons sent the warden to the Tower of London. Still he continued obstinate; and, as the warden, by obstinacy, increased his contempt, the House voted to increase his punishment. They consigned him to "Little Ease," the Tower's most "loathsome dungeon," a narrow recess where it was not possible either to lie down, or to stand up, or to sit, or to rest at all. And, besides attacking the warden of the Fleet, the Commons attacked the warden's wife. Against her, though her husband being in their custody she was "without guide or counsel," they sent the Serjeant-at-Arms. He appeared before the Fleet Prison, and demanded of her the keys, and the release of Sir T. Shirley. Again the Commons were baffled, for Mrs. Warden protected herself, and the keys too, in the best way she could. She kept them in her hand, she threw herself upon the ground, and screamed. The Serjeant of course "desisted, having no commission to use violence." So, after all, the Commons had to ask King James to get the knight out of prison.

As time went on, Parliament established, beyond question, complete freedom from imprisonment for debt; and equally unquestionable, became their abuse of this privilege. By virtue of this exemption the Commons protected, not themselves only and their own property, but their servants also, and the property of their servants, from legal process; and all law proceedings against members of Parliament or their servants were immediately stopped, and those who brought the suits, themselves, thrown into prison. The following story proves the complete immunity thus obtained from that commonplace duty, the payment of debt.



A large estate was left to a Mr. Asgill, upon condition that he should undertake to pay not one of the debts which the owner of the estate had left behind him. Mr. Asgill was a fit man for such a trust: he fulfilled, *con amore*, the condition of the bequest. He took possession of the property; he called the creditors together; he read out to them the will; and then he told them that he would obey it strictly, that he would cheat them of their due, and that he, being a member of Parliament, had them within his power. And Mr. Asgill kept his word.

To ends even more vicious, if that were possible, this privilege was also utilised. Members gave, or sold, written protections from arrest, fictitiously asserting that the bearers were their servants, and therefore beyond the reach of the law. The Journal for the 1st February, 1677, contains a marked example of this abominable practice, in the proceedings on the petition of Angela Margareta Cottington. The Commons, indeed, did what they could for that poor lady; but still she must have bitterly repented her confidence in an Englishman and the exchange of Italy for London. Brought there by Mr. Cottington, and distanced from her family, he sought to discard his wife, and drove her to establish, by legal process, the validity of their marriage. This was done; and yet Mrs. Cottington was not much better off; for her husband still kept her in poverty and desertion, and defied the judge's decree. And on this ground: because though a man of property, his income being 2,000*l.* a year, he was a menial servant in the household of a member of Parliament. The evidence to this effect was clear enough; Mr. Cottington held a protection from arrest, signed by a member of Parliament, one Colonel Wanklyn, drawn up in the grandest style; threatening all "sheriffs, under-sheriffs, gaolers, bailiffs, and constables," with the vengeance of the House of Commons if they arrested his servant,

Mr. Cottington. Although I fear that none of the actors in this domestic tragedy—the blackguard husband, the scoundrel Wanklyn, and Angela their victim—ever got their deserts, still it is some satisfaction to know that the House promptly expelled the Colonel, and that he was led from the bar weeping for shame.

All these powers of oppression are, of course, gone utterly; members of Parliament can no longer protect themselves, or anybody else, from payment of their just debts. They had, also, the right of sending letters post free, a privilege that saved business men in Parliament some 900*l.* a year, but this also has been taken away. Even the gratification of seeing criminals kneel humbly before them, has ceased. The neck of this custom was broken by Mr. Murray, in February 1751. He was brought to the bar to receive the censure of the House for a breach of privilege, and there he stood: he was ordered to hear the sentence kneeling, but he continued standing; he was threatened by the members, but he still remained standing; the Speaker roared out, “Your obeisances,—Sir, your obeisances!—you must kneel!” Mr. Murray kept firmly upon his feet. And so he continued to the end; though his conduct was voted a high and most dangerous contempt; though he was sent to Newgate, debarred from sight of friends, and even from correspondence by writing. Here the power of the House ended. He was set free by the prorogation of Parliament, after four months of captivity. The Commons, however, did not forget Mr. Murray, and never again ordered any one to kneel behind their bar.

Merely then as regards its privileges a great change has evidently come over the House of Commons. And though this change partly sprang from an altered tone in society, it is especially owing to the presence of a few unknown

strangers, who sit in the House without its leave, and who might be driven away any moment. These strangers, I need hardly mention, are the newspaper reporters.

The House of Commons, at first, could only see in them the spy; to be watched on behalf of their constituencies was, for many years, odious to our representatives. Printers, publishers, and reporters were had up to the bar, in batches of half-a-dozen, to undergo reprimand or imprisonment.

As the last century grew older, year after year the nation's demand to hear what was said by Parliament grew stronger. The reporter would not be shut out. He hid himself in obscure corners of the strangers' gallery, and lurked behind the great clock case there. In haste he jotted down, beneath his hat, fragments of the speeches; then, perhaps, he was discovered and driven off. Undaunted, he went on; he picked up scraps of the debate from friendly hearers; he eked out those scraps with gossip in the lobby.

Thus stored with fragments of the debate, the reporter retired to a coffee-house; and, perhaps, to clothe them with suitable language, the help of some poor scholar was sought for. He gave to that outline of the debate a look of life and reality; and if that scholar was Dr. Johnson, great was the semblance of reality. Conversation, in his presence, it is said, once ran on the remarkable display of statesmanlike power, shown by a speech in Parliament:—"that speech of Mr. Pitt's," Dr. Johnson said, "I wrote in a garret."

Warfare between Parliament and the reporter continued long: nor was he guiltless of provocation. The members plagued him; he plagued them in return. One mode of his annoyance was to disguise his references to the debaters by a grotesque, or scurrilous nomenclature; "the great scoundrel," "the little scoundrel," "a paltry insect," or even that "curse of the country," were epithets, by no

means obscurely lavished upon the members. The reporters also mangled the speeches of those they disliked, or interlarded them with comic passages. For instance, this jest was fathered upon a legislator, small in stature, but great in fame, even upon Mr. Wilberforce. The reporter made him utter a lamentation before the House, that, when a child, enough potatoes had not been given him; and for this reason—"Potatoes, Mr. Speaker, potatoes, Sir, make men healthy; potatoes make men tall. More especially do I feel this, because, being under the common size, I must ever lament that I was not fostered upon that genial vegetable, the potato."

The force of ridicule was, however, the chief motive power, which in the end, gave victory to the reporter. First of all, in persecuting him, both Houses of Parliament made themselves ridiculous. The Peers, hot to keep reporters out of their chamber, rudely expelled, also, members of the House of Commons. In return, the Commons drove away every Peer that came to hear their debates. Then the Lords retorted by still greater rudeness; any member who ventured to stand at the bar of the House of Lords was driven away with shouts of "Withdraw! withdraw!" they insulted even the Speaker himself. Thus the two Houses hit each other, not the reporter: the laugh was with him. Then the citizens of London joined in the fun. When the Serjeant's messengers came there to drag before the House the newspaper printers, both messengers and their errand were treated as a joke, they had to return to Westminster without the captives. The Lord Mayor also adopted the popular side; he found an excuse for taking the messengers themselves into custody. In retort, the Commons despatched him to the Tower. But the Lord Mayor's imprisonment was a triumph; his progress to the Tower was as a royal progress, through rows of enthusiastic

admirers. This was not much of a punishment ; again the laugh was with the newspapers.

And in the House itself ridicule was thrown over the contest. Edmund Burke took up the reporters' cause. He could not prevent the committal of the printers ; but he made the proceeding look absurd ; he made members sick of the job. For twelve long hours—from five o'clock one afternoon till five o'clock next morning, by twenty-three divisions, by farcical motions, by jest, by every kind of absurd proposal, did Burke delay and make contemptible the attempt to silence the newspapers.

The result of that victory of the 12th March, 1771, is most conspicuous : the gallery, namely, which runs across the House above the Speaker's chair. A brief description shall be given of the organic life that gallery contains. It is divided into many little cells, and each holds a busy worker, jotting down the words which are uttered below, at the rate of one hundred a minute. Such severe labour cannot be long maintained. Near at hand are others, ready at the close of each quarter of an hour, to relieve the stenographer in front, to drop into his place, to catch up the thread of words where the other leaves it. Thus all the evening, these gentlemen appear and disappear, turn and turn about ; and when they disappear, they betake themselves to a large room up stairs. Here again their pens renew the race ; they rattle over paper, transmuting the signs and symbols which they had used in the gallery, into sentences fit for the printer's use. Relays of messengers start from that room every ten minutes, or even every five minutes, one after the other, to hurry the "copy" transcribed there, up to the printing offices. So ceaseless, so regular, is the chain of communication between the reporters' gallery and the printing office, that, if the speech be long, its opening words are in type before the debater has resumed his seat.

And these are the national services rendered by the reporters : on behalf of the Empire, they watch Parliament ; on behalf of Parliament, they disperse, throughout the Empire, the words and thoughts of Parliament : they act also as parliamentary historians, recording for future sessions an authentic story of each year's debate.

This potential element in our polity is every way remarkable ; singular in importance ; and singular as an organisation which spreads the influence of the House of Commons far and wide, morning after morning, without break or pause. Yet perhaps the most remarkable feature of this system lies in the fact, that it is wholly voluntary. The newspaper reporters are technically and truly "strangers" to Parliament. The House could not command their services, does not pay them, cannot revise a word of what they write. The only control the Commons have over them is to order them to be off. Every word the reporters write is a "breach of privilege."

Yet surely hence arises the respect and power enjoyed by that unknown, unrecognised institution, the Reporters' Gallery, and is why the newspapers have the power of speaking with such effect to and for Parliament. It is because their reports are quite unsanctioned ; because they are absolutely free from parliamentary or State influence ; and because they are controlled solely by their own regard for what is right.

Dissatisfaction has, however, been shown regarding the present system of report. And so long as members pay no heed to the essential condition of newspaper publication, namely, hot haste, growing hotter every minute ; and so long as they ignore the fact that, during a quarter of an hour, the mouth emits a verbal stream, which occupies the fingers, in transcription, for over an hour and a half : so long

also, as members expect to be reported as fully at midnight as at noonday; so long will this dissatisfaction be felt. And as the establishment of an official report was recently mooted in the House, by a most able and judicious advocate, I cannot quite pass over the possible effect of such a proposal. It was admitted during the debate of the 20th April last, that the point at issue was, not the self-gratification of individual members, but how best to secure that Parliament be placed in accord with the Empire; and this was the correct treatment of the subject.

Following that example,—is it, I would ask, probable, if the Commons became their own reporter, that the newspapers would do the like on their own account? The *Times*, for instance, is justly proud of the race which it maintains between speech-making in the House and typography in Printing House Square, and of its success in placing the printer almost abreast the debater; but would that journal care, in the face of an official rival, to support an enterprise which inflicts on it most extensive outlay in time, money, and energy both human and mechanical? And even if such a journal, obeying the dictates of public spirit, declared that it would continue to maintain, to the full, its present exertions, I doubt much if it could, in the teeth of an official system of report. The organisation needed to produce such a story as the *Times* gives of each night's debate, can only be kept going at high pressure by a keen perception of responsibility, and by a staff in habitual training. The slightest relaxation of constant care, or in the touch of urgency, would paralyse at once those busy heads and hands; and reporting in the highest style would experience the too common close of a fine art—sudden and utter extinction.

Supposing, then, that the *Times* is forced to surrender its present high function, and no longer attempts to report, to

the fullest possible extent, the parliamentary debates : how far, it may be asked, would an official report supply the place of the daily newspaper ? It must be borne in mind, that such a publication must be verbatim : it cannot, therefore, be speedy in production ; it must await the correction of the members : increased delay would accordingly ensue, and then, the newspapers being silent, the isolation of the House of Commons is complete. Considering the rush and exigency of daily life, it is no extravagance to assert, that if Charles Fox or Canning were among us, and that if their speeches, delivered on a Monday, were not made public before Thursday, their eloquence would be unheeded by the Empire at large : their influence would be restricted to that narrow area, the floor of the House. And if the voices of such orators *par excellence*, lacking the impetus given by the daily newspapers, thus failed, and fell short, what extent of range would be commanded by many respectable, but less entrancing tongues, which now wag around the Speaker's chair ? And yet the chief value of a Commons' debate lies, not in eloquent display, but in the general estimate of opinion it affords ; by exhibiting, in fact, the representative character of the assembly.

An inclination to leave alone, that which works well, and a disposition to prefer, over official undertakings, the voluntary exertions of the community, are distinctive traits of our national character ; and these are the very sources whence that remarkable organisation, the Reporters' Gallery, receives its existence. If then change must be wrought in a creation so eminently of the old British stock, and fashioned according to our insular traditions,—surely it is appropriate that the change should be made according to our approved British way, by alteration, and adaptation, and not by demolition ?

The following proposal, regarding a report, under authority, of the Commons' debates, conforms, at least, to this



idea. Let that publication, and its staff, be placed under the voluntary, unpaid associated superintendence of the chiefs over journalistic literature. The Treasury would act on their requisitions, and thus no money responsibility would attach to that directorate ; and if any attraction, above the satisfaction of discharging a high public duty, be needed, it would be found in the influence, position, and patronage which they would acquire, and in the power of utilising the labours of their staff. Under such a *régime*, the gentlemen now seated in the gallery would remain there, and they would continue to exhibit that skill and energy, which is theirs alone, and which rarely can be obtained save by private enterprise ; nor would they be excluded from the wide field for distinguished exertion which literature affords. And while, on the one hand, they would be free from any imputation of party, or official bias ; on the other, they would receive from Parliament a more worthy recognition than can be accorded to a "stranger," an act of just courtesy too long delayed. And if, by way of illustration, I may refer to a gentleman who has influenced, by his eminent abilities and literary judgment, the publication of the parliamentary debates for more than half a century, another Mr. Ross, if such might be, should receive the important post of Editor General for the House of Commons.

## CHAPTER V.

### *The Crown and Parliament; and the Control of the House of Commons over Public Money.*

A STATEMENT that the adaptation of mediæval state-craft to modern use, forms a central principle of our polity, may seem but a self-obvious assertion; nor would I have ventured so near a truism, save to contradict a popular fancy, which associates those "checks and balances" in the Constitution which maintain the equilibrium of the State, with those still-existing relics of ancient modes of government. This mistake arises from a happy experience. The Constitution certainly does act with a balanced, regulated movement, rather than by violent collisions; but its ancient framework cannot be credited with producing this inestimable advantage. Social discord has been averted from us by our working the administration of the Empire according to its spirit and to our necessities, and not at all according to the original design. Indeed, regarded as they are, and not as they act, the component elements of the Constitution form, instead of a chain of delegated trust, a hopeless jumble of contradictory forces.

This description exactly applies to the existing relations between Parliament and the Crown. The law distinctly makes the very being of the House of Commons depend upon the Sovereign's unchecked, unlimited will; but, in fact,

that law is practically set aside, and, as we are all aware, our Monarchs may be said, in respect of Parliament, to have no will whatever, and to act solely as the appointee of the will of the Empire. But all the same, there is no legal restraint over the royal power of dissolving Parliament. Month after month, with the utmost legality, the Commons might be dispersed; and we might thus be compelled to choose between anarchy, revolution, and despotism. It was the abuse of this regal prerogative, directed to that very end, which more than aught else conducted Charles I. to the scaffold. And without reverting to so extreme a case, the right of parliamentary dissolution might undoubtedly be used to the peril of our social existence. I shall be told in answer, that the executive Government of nowadays is no longer lodged in the Crown alone, but in its Ministers; that they are subjected, in their turn, to the control of Parliament; and that, only for this reason, no such fear need be entertained.

So, also, I may be reminded, with equal truth, that it is the interest of all in authority to maintain unbroken the annual session of Parliament, and that if the Commons did not yearly provide the money, every functionary in the State, from the wearer of the crown to a county court judge, would lack subsistence—that the army must disband, and the navy become a thing of nought. Is, however, arbitrary and violent conduct the error of none but Monarchs? may not Ministers act as wilfully as anybody else? and so, also, might Parliament, even regarding this very matter, its own duration. It is, therefore, no impossible contingency that a reckless Parliament or Government, to secure their ends, might willingly brave the terrors of a State bankruptcy.

The power of dissolution is, in truth, controlled not so much by the dependence of Ministers on Parliament, as by the absolute dependence of Parliament on the national

vote. Here is that ultimate authority, with which both the Ministers and the Commons must make a final reckoning, and the safeguard which deprives that mediæval prerogative of any mischievous quality. And history supplies an example of the Commons resisting, to the utmost, that call to account. It was a contest of this nature which placed William Pitt in power. When merely a "school boy premier," being backed by the country, and by the Sovereign's right of dissolution, he completely mastered a House of Commons, though restive, almost mutinous. His opponents knew, for a certainty, that he commanded the popular favour, and that were they dispersed, he could ensure a parliamentary majority. To protract, therefore, their political existence, to expel, if it might be, the Minister by discord and collision, was the object of the members: to effect it, the annual supplies were withheld; hostile declarations were carried against him, and he was exhibited to the country as one, whose continuance in office, would work national ruin. The struggle was protracted from December, 1783, till the close of the following March; but in vain.

And then at the last, when the majority against Pitt had dwindled from above fifty to a single vote, this trick was tried to delay, even for a few hours, the issue of the proclamation for the dissolution of Parliament. To that proclamation must be affixed the royal Great Seal of the Empire; so if the Great Seal disappeared, there could, for the time, be no dissolution. And somehow, singularly enough, just at that conjuncture the Great Seal did disappear. When the moment arrived for its use, and the Lord Chancellor, who is its custodian, turned to his library-drawer, the Seal was gone. Nor was it ever recovered, or the thief found out. But the rogues were disappointed; within a few hours Mr. Pitt had another Great Seal made: the proclamation appeared:—and Parliament was dissolved.

The opportunities for collision between Crown and Parliament which lurk in the mechanism of the Constitution, afford another mode of illustration. The power of "the final veto," the power, namely, lodged in all chief magistrates to refuse the demands of a representative assembly, is another most important regulator over the political action of a State. And in government systems more modern than ours, this regulator is placed under special checks and guards to hinder its misuse. But with us, the veto-power of the Crown is limitless. Content with what they had got, a firm grasp upon the legislation and the purse-strings of the country, our ancestors viewed, if not with satisfaction, yet with no expression of dissatisfaction, Queen Elizabeth "quash" or throw out "forty-eight several bills," one after the other, as Parliament successively tendered them for her approval. Just as our gracious Majesty might do, Elizabeth seated herself on the throne, and the Lords and Commons assembled to hear her verdict upon the bills they had passed. The title of each bill was read aloud before her; and if it met with her approbation the Queen bowed; and then, following the usage prescribed by our Norman conquerors, the Clerk of the Parliaments signified the royal assent by repeating aloud the words, "*La Reyne le veult*," or, as we should say, "The Queen wills it." But when the turn came for those bills which ran counter to the royal pleasure, the crowned head remained motionless; no bow of approbation was returned in answer, when the Clerk read out each title, and awaited direction from the throne. He accordingly had to change his tune, by exclaiming, "*La Reyne s'avisera*," "The Queen will think about the bill;" the formula which signified the denial of the royal assent.

Such a prerogative, so unrestrained, obviously is an excessive power. As the great gulf stream of human life swept our ancestors along, and encroached upon one depositary

of authority and augmented another, the House of Commons became less and less inclined to see its work thus frustrated; and the following angry collision arose between Parliament and William III.

During the year 1693, a much-debated bill, having been passed by both Houses, was offered to the King for his acceptance. Nor was the proposed law a matter of indifference; both Lords and Commons were hot after the measure, for it touched themselves and their own privileges. So, when the appointed hour came, many members assembled behind the bar of the Upper House, to hear the royal assent given to the Parliamentary Proceedings Bill: to refuse assent they never thought the King would dare. But William, always ready to dare much, was that day not less ready. He seated himself on the throne; the ceremony began. As usual, the titles of the bills were read before him. All passed,—till the title, “A Bill touching free and impartial Proceedings in Parliament,” was heard. And, as usual, the Clerk of the Upper House looked towards the throne, expectant of the King’s bow of assent. But no bow followed; the King thought that the bill unduly touched his right. So the Clerk had to declare that the King would think about the bill. Its rejection caused amazement. The Commons left the House of Lords in anger. They collected all the members, shut out every stranger, and locked the door of their House. A strongly-worded remonstrance to the King was immediately voted. It was laid before him: he would not give way. A renewed storm arose, even though, most specially, such a storm was then unseasonable. For the time was critical: England was at war with France; plots at home were rife; the ill-wishers to the Government were many and powerful; and they were triumphant when they saw King and Commons thus at open variance. A quarrel with the Sovereign, it became evident, was but sport

for England's enemies. The Commons submitted in silence, though reluctantly. But throughout the quarrel they never questioned the King's legal right of extinguishing that bill.

This constitutional stumbling-block was not, however, destined to be of long endurance. Within fourteen years, during the reign of Anne, arose the last occasion when Parliament heard, that it was the royal pleasure to "think about a bill." And it may be broadly asserted that for the last one hundred and fifty years, Ministerial Government has been the ruling principle of our Empire: a principle, as my readers are aware, which compels Monarchs to sanction every law which is approved by those men who are, at once, their accepted advisers, and the accepted leaders of Parliament, the Ministers of the Crown. Such a contingency as a Monarch withholding assent to measures desired by those in whom, while they hold office, he should confide, requires no consideration. And that other possibility, mischievous legislation by a reckless Ministry, would, equally, be promptly remedied. For even if they had won over a Parliament, and thus acquired power to legislate contrary to the weal, and to the wishes of the community, such power would be of a very fleeting nature; the Empire would quickly put an end to that law, and assert that it also "would think" about the actors in such a transaction.

A polity like ours, endowed with a living faculty of adaptation, meets a need, when a need is felt; and that too without apparent effort. This fact is curiously illustrated by an incidental result which springs from the absorption of the royal veto into the system of ministerial government. That veto is, as shown by the action of William III., a very conclusive power; and though none of his successors would now care to use it, as he did, still a contingency constantly arises, when danger to society might

ensue, from their disability to declare the royal dissent to a bill in Parliament. This is that source of danger. Like all other bodies in the State, the Crown has corporate rights and privileges; but as, under ministerial government, the Sovereign must accept every bill tendered for approval, and as Parliament's legislative powers are unlimited, he might be compelled to sanction bills sweeping away the royal authority, revenues, and property. The Empire also might be compelled to stand aside, a powerless spectator, whilst the monarchical form of government was thus indirectly undermined or overthrown.

Such objectionable possibilities are, however, impossible. The responsibility of a Ministry includes the realm in its entirety; and their duty towards the subjects of the Crown imposes on them a duty towards the Crown itself. Acting then upon this inherent responsibility, when a bill affecting the rights of the Crown is brought into Parliament, Ministers are bound to forewarn Parliament by a distinct and formal declaration upon that matter. If that announcement approves the measure on behalf of the Sovereign, the bill may proceed; but if the Ministers declare that, in their opinion, the rights or property of the Crown would be thereby endangered, the further progress of the bill becomes illegal. This important element in our polity arose, as might be expected, at the beginning of the last century, close upon the time when the royal dissent to a bill was, for the last time, heard. And, like so much of our governmental system, this constitutional security rests, not on statute, but on parliamentary usage recorded in the Journals, and is founded on that habitual self-restraint and spirit of obedience, on which the very being of Parliament and of the Empire depends.

Before I enter into the considerations suggested by the control of Parliament over the public money, it is from no



spirit of antiquarianism, that I first point out, how the Commons are influenced, in their financial function, by a royal prerogative which smacks of the all-but despotism of mediæval times, though employed by us to spare, and not to invade the pocket of the community.

If the matter needed discussion, it would be at once agreed that no individual member of Parliament should be allowed, on his own responsibility, to propose and move a grant of public money. Could they do so, their constituents would be ever at them, to advocate the support of many a local object, all doubtless most desirable. From such an evil, however, we are guarded. A member may make any proposal in Parliament, except the proposal of a vote giving away the money of the people; unless, indeed, he is the servant of the Crown, and acts by its direct authority. The initiation of expenditure is thus kept in the hands of the Ministry alone, and an exceptional and most salutary disability has been imposed upon the House at large. This wise principle of action cannot, however, be assigned to the wisdom of our ancestors, or of any known statesman. If it can be credited to any distinct source, this regulation is due to that national custom of converting to modern purposes the usages of antique statecraft.

This is, anyhow, the way in which that financial maxim has originated. Taxes in old times, the King's taxes, were literally his, paid in to his own exchequer, and payable out again at his own discretion, or indiscretion. And in theory the Queen might do the same: every year's "supply" is voted "for the service of her Majesty;" all the public money is spent nominally in the Queen's name; but, in reality, according to the direction of the House of Commons. Solely according to their direction, but not solely at their pleasure. For here that ancient rule interferes, and establishes, that as the supplies of public money are voted for the King's

use, it is his Ministers alone who know what the Crown will require: the Ministers thus become the only persons capable of making that demand upon Parliament. And so, in obedience to that rule, without the record of her Majesty's sanction, formally entered in the Journal, the Commons cannot direct the issue of a penny of public money.

And thus when they wished to augment the grant which the Government proposed, as a national recognition of those noble services which brought Sir H. Havelock to the grave, a direct proposal to increase the grant could not be submitted to the vote. Nor would it be well that the House itself should be empowered, on any plea however laudable, to multiply the financial burthens of the country: the adjustment and the weight of that load must be left absolutely to the Government, if the Commons desire to maintain true parliamentary control over the public purse.

Neither restriction, nor economy, however, is the immediate result of that State maxim which devotes parliamentary supply to the service of the Crown: it opened, naturally enough, the flood-gate to royal extravagance. This result was not felt at once. During the pre-civil war period, national life, both political and domestic, ran on simple lines: the corporate existence of the State was not dependent on the yearly vote of Parliament. If the product of taxation was needed, it was needed for some notorious, extraordinary object, which stood out conspicuous in the year's transactions, and, of necessity, produced its own evidence regarding its own expenditure. Englishmen, therefore, might well laugh down Mr. Serjeant Heyle's dictum, "Mr. Speaker, I marvel much that we should stand upon granting a supply to her Majesty, when all we have is her own. Yea, she hath as much right to all our lands and goods as to any revenue of her Crown;" for his hearers knew, not only the absurdity of the servile lawyer, but that if they did grant Queen Elizabeth

a subsidy, they would know full well how she had spent the money.

That taxation was designed for the people's benefit, and not for the Sovereign's pleasure, was the only moral lesson which Charles II. taught his subjects. The roar of the Dutch guns over the Medway, and the simultaneous sound of revelry in Whitehall, had a very tonic effect upon the nation. And since the Revolution, both statutes and penalties, year after year, have ordered and enjoined that the money which Parliament grants for the service of the State, be spent as Parliament directs; and thus the statutory "appropriation" of parliamentary grants, has been enforced during, now, nigh upon two hundred years.

But control over a thing so subtle as cash, especially the cash of other people, to be effectual, must be vested in something more stringent, more vital, than legal enactment. A Minister may spend public money quite as idly, if not as ornamentally, as could a King. Just a century ago, it was not George III., but his Ministers, who ran riot through appropriation acts, and consumed at their pleasure the national funds. To maintain the luckless contest of 1776—82, between us and our American Colonists, the Commons voted, in the aggregate, 31,000,000*l.*; and Lord North's Government spent in addition, at their own will and liking, 15,000,000*l.* more. During one of those years the Government's illegal outlay actually exceeded in amount the grants from Parliament. As might be expected, colossal extravagance and jobbing then prevailed; pay was taken for nearly twice the soldiers that were in existence; British cavalry horses were fed at the rate of a farthing per each grain of oats, and altogether 44,000,000*l.* thus utterly disappeared, and went everywhere but where it ought.

The waste of a century ago, however, does not appreciably touch us. What we have to consider is, to learn

if such conduct can be repeated. Lord North's Government, we see, could of their own motion authorise an expenditure of 15,000,000*l.*; the principle, also, of parliamentary government and of "appropriation" was just as operative, as far as legal enactment could go, then, as it is now. If that be the case, a question naturally suggests itself, could our Government do the like? That immediate answer of a downright "No," which might have been expected from me is not, however, possible. I must first explain how it was that money was poured out of the exchequer with that lavish freedom.

The method was simple enough—simpler, indeed, than many a speculative method: that waste arose far more from want of supervision, than from want of honesty. Lord North's Government, and its subordinates, took money which was voted for one official purpose and applied it to another. For instance, a sum voted for pay of men was applied to the erection of a fortress. To take an actual case. Parliament, during the financial year of 1777, granted 135,000*l.* for the service of the Royal Navy; and next session the First Lord of that day frankly admitted that "not one shilling" of that grant had been so spent.

What check, under such a system, could Parliament have over the money it voted? The First Lord had acted quite within the letter of the Appropriation Act. Nor even, in spite of his tacit confession, that the ships, for which that sum had been granted, were rotting at Spithead, could he be called to account. And thus,—though his hearers were excited to wrath, even although Burke, in reply, "threw the book of the Navy Estimates at the Treasury bench, which, taking the candle in its course, had nearly struck Mr. Ellis's shins,"—still their anger was quite as futile as the book-shy. And for this reason. The legal penalties by which Parliament sought to protect from misuse the grants of public

money, were solely designed to keep a monarch's hand out of the imperial cash-box : these penalties did not paralyse the fingers of a State official. As the unchecked power of misappropriation thus was his, and as he might, moreover, retain in hand large unexpended balances, to be applied as he chose, parliamentary financial control could be defied by every department of the State.

But the utmost corruption and good humour could not keep Lord North in power for ever, and with him disappeared that exhibition of full-blown extravagance. The lofty, disinterested tone, which such men as Pitt or Nelson, infused into the public service, and a burst of national indignation corrected, but did not extinguish the evil. By degrees, through Mr. Pitt's exertions, the accounts of the Empire were brought into an intelligible shape ; a system of audit and revision was established ; and the monetary responsibility which attaches to every member of Parliament became increasingly felt by the House. The gradual progress of this improvement cannot here be traced ; but I will attempt to give, in outline, a sketch of the final result.

That gross facility for waste, afforded by the transference of sums of money between different branches of the public service, is now wholly stopped : sums voted for the Navy can, accordingly, be spent and accounted for solely by the Admiralty. No department is now allowed to retain an un-employed balance ; every shilling unspent at the close of each financial year must be sent back punctually to the Exchequer. The accounts of each department also are reviewed and overhauled by able auditors, whose authority is above dispute, and who are independent of all, save Parliament.

It is, however, comparatively recently that the strings of the public purse have received from the Commons the most stringent, final knot. Acting through a Select Committee,

formed of its ablest and most experienced men, the House examines and revises, session after session, the financial transactions of every official in the empire. And this institution, established for about sixteen years, "The Public Accounts Committee" may be most emphatically described as the crowning act, whereby the Commons exercise at once the strictest, and the most constitutional control over public expenditure.

The special function of this Committee is to make sure, with utmost precision, that the parliamentary grants of each session have been applied to the exact object which Parliament prescribed; and, owing to the variety and intricacy of the public service, this task is not an easy one. The Committee also re-checks the official audit to which the Imperial accounts are, by law, subjected; an investigation which makes that tribunal the arbiter in many a perplexing departmental dispute, and places before it the whole of our financial economy. These inquiries are reported to the House, and a complete story of the monetary transactions of each year is thus made public, on the authority of Parliament.

No servant of the State is there who works to better or to more useful purpose, than those eleven members who form the Committee of Accounts. Their labour is close and prolonged; they have to solve dry and complicated problems; together with most of our legislators, leisure is to them a nonentity; time and labour therefore entail on them no slight sacrifice. Yet they make that sacrifice freely, and most assuredly, not "so as to be seen of men," for the important functions discharged by them are unknown to many without, and even to some within, the world political.

Parliament may justly take credit for the system of four-fold criticism to which the national expenditure is subjected.

The demands of the State departments are first passed through that stern ordeal, the scrutiny of those unyielding gentlemen, the heads of the Treasury; then follows the action of the House of Commons; the third court of review is the Exchequer and Audit Office; and fourthly comes an inspection by the Public Accounts Committee. The second link in this chain of delegated trust is, of course, the spot where presumably the chief responsibility is lodged, and a definition of that responsibility shall be attempted.

In the first place, however, I must direct attention entirely away from the behaviour of Parliament, in this case the servant, to the conduct of its master, that Imperial money-spender, the Empire itself. Nothing, in truth, would be more delightful to every member, and especially to those upon the Treasury bench, if they could point to public outlay expressed in diminishing rows of lessening figures. But that result is, by no means, the same undivided joy to the nation in general. Whilst everybody murmurs at the stream of yearly expense, ever rolling on with increased volume; is there any one in the community, who is not equally desirous to augment that stream by obtaining a grant of public money, for the service of his pet hobby, and who is not perfectly convinced that he knows how that sum could be spent to everybody's advantage? And as the individual feels, so does the Empire. National expenditure is, both first and last, the expression of national life. The public yearly becomes more educated, more exigent; a demand consequently arises for increased education, and for preservation and protection more and more, from infants up to "ancient monuments." Science, again, yearly points to the new weapon of the future, and the Empire can but follow after, and pay the bill. Society is no longer content to exist, but it must be fostered and developed; and to the attention society claims for drains, Stonehenges, gas-works, dress-

makers, miners, theatre-goers, and factory hands, an appeal, I see, is made, to add an inspectorate over 'busmen.

It must be a clear case indeed which can procure rejection by the Commons of demands, which the Empire thus forces upon the Government. Nor are we free to spend our own money as we like. The past, also, yearly sends in its little account; and the difficulties or the desires of our predecessors are still visible on the estimates, in many ways, besides the interest on the public debt. Drafts were made upon the balance in the Exchequer, until quite recently, to pay for the Abyssinian expedition; and even that unfortunate enterprise, the works at Alderney, lingered on, unavoidably, for years after its cessation had been decreed. Our national undertakings, also, are far too large to end quickly; even their preliminary stages extend beyond the existence of that Parliament which set them on foot. The manufacture of the last new rifle, or the creation of a big gun, outlasts many Ministries; and the Opposition which had denounced the design of a monster ironclad may, after all, have to superintend its completion.

The wisdom of a grant, also, much depends on the way it is spent, and that is a province quite beyond the ken of Parliament. Actual outlay must be wholly left to the care of the spender: the Government alone is responsible in this matter. But though the Ministers do fully feel that responsibility, yet, with the best intentions, projects too often work out into wholly unexpected results. Architects and engineers meet with underground difficulties, and estimates are therefore exceeded; little wars end in large bills; even an industrial investment, like the State telegraph system, promising at first an assured profit, becomes instead an endless charge.

The slight sketch which I have attempted of the many doubts, questions, perplexities, and responsibilities which



clog and embarrass the consideration of our Imperial expenditure affords some measure of the task which members undertake, when seated in Committee of Supply. Even a mere glance over those seven bulky volumes, containing more than 3,000 pages, and countless rows of figures, namely, the Estimates of last year, would prove that they cannot rank among the "easy things to understand." And my readers, perhaps, will perceive that no session, however full of crucial subjects of dispute, can present to the Commons a more complex matter for consideration, than the annual duty of voting the Supplies for the service of the Crown.

And yet,—though the task be difficult,—as advocates of economy the Commons have not only an all-important trust, but one which they can fulfil with satisfaction to their constituents, and to themselves. In the Committee of Supply they obtain from the Ministers a full explanation of the principle on which the demands of the Government are based; and when the general propriety of those demands is established, they give their decision. This done, and they can do no more; being resolved regarding the justice of the aggregate Estimates, if they approve the scope and object of that outlay, in its entirety, members must leave the details of the separate charges to those who are entrusted with the expenditure. For here lies the secret of parliamentary control over the public purse. First, last, and always, the absolute responsibility of the Ministry for the financial government of the Empire must be inflexibly maintained. The Commons are trustees for the due discharge of that government; they therefore see that what they vote out of the Imperial purse, is spent as they direct, and they do so, through the Accounts Committee. They must also place restriction, as far as possible, upon the outgoings from that purse, and be thoroughly cognizant of the general principles

on which its contents are applied. Nor should they be in a hurry to replenish the annual budget by increased taxation. But the Commons, though the trustees, are not the managing directors of that fund ; for they cannot, even for a moment, control the sluices whence the public income flows out, the spending departments of the State. The directors of the Imperial investments sit upon the Treasury bench ; and if the parliamentary trustees keep a strict watch over the managing directors,—the directors will, in their turn, take good heed that they are duly served by the Government departments, and in the dockyard and at the arsenal, as well as throughout Whitehall.

The hours which are spent over the Estimates are, however, by no means the sole opportunity afforded to members of Parliament for effecting a saving of money for their country ; that object can be always kept in sight, and be infused into every debate. Nor does economy lie merely in reduction of outlay ; national thrift may be obtained far more successfully by the enforcement of a wise policy,—by avoiding occasions of cost, and by fostering the resources of the realm,—than by advocating the diminution of expenditure.

In conclusion,—whatever sources of misunderstanding may arise regarding those placed in authority, it is a satisfaction to know that both Parliament and the Government are free from one form of suspicion. Their fidelity, and the fidelity of every one engaged in our financial government, commands a universal and immediate acknowledgment. It is known to all that “the hidden things of dishonesty” are not to be found either in Westminster or throughout the whole range of the Civil Service ; that the era of jobs and sinecures is over ; and that a wise application of our public moneys is the common desire of all engaged in that important trust.

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The scheme on which this little book has been framed excludes from its pages the names and services of our parliamentary heroes: such a narrative is left to worthier hands; my part has been to show the influence of those eminent men by the result of their achievements, rather than by a description of their deeds and lives. It may be noticed, however, that, as a general rule, most institutions which command an ancient and world-famous renown have, during the course of their existence, required in their behalf the sacrifice of a life. The House of Commons forms no exception to this rule; and as Sir John Eliot readily obeyed that command, and so gained illustrious distinction, above all other Englishmen and members of Parliament, I must do what I can towards his commemoration.

On the walls of an old mansion in Cornwall hangs the portrait of a man of a sad, grave countenance, wasted, gaunt, and haggard. His eyes address beholders with a restless, appealing glance—the imprint of long pain of body and long trouble of mind. The face is evidently the face of a man worn to death by illness and adversity. This description is no fancy description; nor is that picture a fancy representation. The picture I describe is a faithful likeness of Sir John Eliot, taken in the Tower of London, during the month of November, 1632, just before his death. Life was once reflected on that face in guise most different. Eliot was a Cornish gentleman of high social and intellectual position. His worth was esteemed by worthy friends, and he returned their regard: he enjoyed respect even from his enemies. At one time he might well have trusted in the love of life and in a hope to see good days; for he was endowed with ample means of serving England, both as a county landlord and in Parliament; and in that service he took delight.

But all this Eliot, apparently, sacrificed. He offended his

sovereign; Charles I. ; he was shut up in the Tower of London ; he died there : his death was caused by that imprisonment. Sir John Eliot, however, did not wilfully throw away his life. He felt—nor was he mistaken—that his wasted life in prison was no waste ; that the cause for which he died was worth his death.

The cause for which Eliot died was justice to his country. He fearlessly maintained that it was the birthright of an Englishman to speak his mind freely in Parliament. He persisted in making the King feel the force of that birthright. Over and over again, Eliot's voice was raised in the House of Commons against the injuries that monarch inflicted on his subjects. Over and over again, he appealed against those who tempted the King to wrong, and who, in his name, committed wrong. To this cause Sir John Eliot was constant. As constantly did he taste the ill-will of men in power. He was unjustly accused, threatened, and imprisoned. Still he persisted, fearless. On that memorable day, the 2nd of March, 1629, he encouraged his comrades in Parliament to make one effort more, to stay Charles from his evil course. They did so ; and the King perceived, that to maintain his authority, Eliot must be silenced, not for a time, but altogether. He was arrested and sent to the Tower of London.

Consider how much that prisoner underwent. Though Eliot saw freedom given to fellow-members of Parliament and fellow-offenders against their sovereign ; though he knew that if he chose he could have, not freedom only, but place and power ; though he knew that his fields in Cornwall much needed the master's eye ; though he knew that his children, who were motherless, greatly lacked their father's care ; though his youngest child died, and he away ; though, when his enfeebled lungs most needed warm air and the sunshine, he was placed in a stifling den, where he had no

daylight and but "scarce fire"—still Eliot never dreamed of deserting the cause of his fellow-countrymen. And thus he rested faithful for their sake, during nearly four years of harsh imprisonment, of imprisonment that he knew must kill him.

That portrait truly pictures the outside look of a worn-out captive, of one with death in view. Yet, in his dark cell, under that shadow, Eliot was cheered by radiance beyond expression by the painter's art, more truly bright than the sun's brightest ray. To the last he declared himself joyful, joyful in the thought of God's love, joyful in gaining, by affliction, that love in its fulness. Thus Eliot died, on the 27th of November, 1632, at peace with God, —and at peace about his country, for he knew that true Englishmen would ever be found, ready to perform the like faithful service.



NOTES AND INDEX.





## NOTES.

### *House of Commons: Time Statistics.*

Session.	Sittings of the House.		Number of Questions placed upon the Notice Paper.	Time Occupied by Questions.					
	Hours.	Parliamentary Days.		Hours.		Parliamentary Days.			
				Hrs.	Mins.	Days.	Hrs.	Mins.	
1857	903	116	451	22	33	2	6	0	
1867	1,043	128	912	45	36	5	5	0	
1877	1,039	122	1,343	66	42	8	2	40	

This calculation is thus explainable: 3 minutes are taken as the average time occupied by each question and answer. To a parliamentary day is assigned the length of an average sitting of the House, namely, 8 hours; and if a week be mentioned, it is a parliamentary week of 5 sitting days.

The figures in the above table, being based on the actual number of questions placed upon the notice-paper, by no means fully bring out the relative proportions between the business hours of last session and the hours devoted to the inquisitorial function of the House. As a rule, several questions are daily put which are not printed upon the notice-paper. The number of such questions, by way of average, may be estimated as 8 per week; the number of questions put during last session must, therefore, be increased by 192: an addition which augments the hours so occupied to 76. And as 80 hours composes two parliamentary weeks, it will be seen that almost a fortnight of last session was thus engaged.

This calculation prompted a similar treatment of the motions for adjournment of the House, and of debate, and of kindred motions in

committee, which occurred last session. These motions amounted to 84, upon which 64 divisions were taken. That being the case, the average quantum of time consumed by each of these interruptions may fairly be taken at 15 minutes per motion; and if so, 315 hours, or 39 parliamentary days, were thus engaged. The addition of these days to the days devoted to questioning makes 47 days; and a total sum of more than 9 weeks—of more than one-third of the 24 weeks of last session—is thus arrived at.

But these time statistics may be placed in another and a more correct form. Wednesday sittings most rarely witness an interruptive motion for adjournment, or a question. Accordingly, the space of time allotted to Wednesday sittings should be deducted from the calculation, in our research after a true comparison between the hours devoted to business, and the hours devoted to something else. Following out this course, the hours which the House sat last session, excluding Wednesday sittings prior to Wednesday, 1st of August, amounts to 925 hours; and if that sum be compared with the 391 hours, the total time occupied by questions and by motions for adjournment, it appears that upwards of 42 per cent., or not far short of half the evening sittings of the House were thus engaged.

*The Site and Entrances of the Old House of Commons.*—The dingy room, “the mean-looking building, that not a little resembles a chapel,” described by Mr. Moritz, was the old House of Commons, the chamber inclosed within the shell of the ancient walls of St. Stephen’s Chapel. Young readers may need this reminder. The room fitted up by Sir C. Wren in 1706, was the interior Moritz saw; and he was acute to trace therein the outline of an ecclesiastical building; for long before that architect had quite concealed from view every Gothic feature, as well as the beautiful frescoes of Early English art which decorated the walls of that chapel. The Elizabethan House of Commons, however, had them in view. In a debate on the bill “To redress certain abuses used in painting,” 12th December, 1601, Sir G. Soame ended his speech in favour of the bill, by an appeal to “these Walls thus curiously painted in former Ages. The Arms so artificially drawn, the Imagry so perfectly done, do witness our Forefathers’ care in cherishing this art of painting.” (D’Ewes’ Journ. 681.) Subject to this slight addition to Mr. Forster’s admirable description, I trust that those who care to enrich their mind’s eye with a picture of the ancient House of Commons, will turn to the essay on “The Grand Remonstrance.”

The humbler task of tracing out the ground-plan of the old House is left to me. As showman, then, I commend visitors entering St. Stephen's Hall from Westminster, to halt under the west doorway. To one so standing, the floor before him presents the area formerly occupied by the House of Commons, and by the outer hall or lobby. About one-third of the pavement was given to the lobby; and the partition-wall, that divided it from the House, stood on the line between the statues of Chatham and Mansfield. The Speaker sat at the east end of the Hall, looking in the direction of the supposed spectator; and his chair was placed a few paces in front of the steps ascending to the Octagon Hall. These steps, it may be remarked, cover the site of the little lobby at the back of the chair, called "Solomon's Porch." It was here that, "saving his reverence," young Mr. Pitt, one Saturday morning, early (22nd of February, 1783), upset by over-work and over-excitement, vomited, whilst he held open the lobby door, that he might hear Fox's speech, to whom he was to make reply.

The successive entrances to the House may now be pointed out. Retaining our station under the west door of St. Stephen's Hall, on our left side, is an archway leading to the Private Bill Office. That arch is modern, and so is a winding corkscrew staircase that leads thence down into the cloisters below; and so is a doorway that opens from those stairs into Westminster Hall. But though thus new, both stairs and doors sufficiently take the position of ancient doors and stone steps to justify my asserting that they represent the principal entrance to the House between the years 1547 and 1680; because when the Commons left the Abbey Chapter-house hard by, and came to sit in St. Stephen's Chapel, it was by a door cut through the wall of Westminster Hall, under the second window from its south-east corner, and by steps leading therefrom up into the Chapel, that the members entered their place of council. So it was here, I may affirm, without affecting too greatly a showman's undaunted faith, that Cromwell told Falkland, soon after two o'clock A.M. of Tuesday, the 23rd of November, 1641, that, had "the Grand Remonstrance" that night been rejected, he would have sold all, and left Old England for the New; and up these steps, undoubtedly, did King Charles pass to arrest the five members (Forster's "Arrest," p. 183).

This means of access was in use until the year 1680, when a door was cut through the south end wall of Westminster Hall, and a communication was formed leading through the principal west door of St. Stephen's Chapel, and so directly into the centre of the lobby of the

House. Bearing this in mind, it is obvious that the present west door of St. Stephen's Hall, and the steps passing thence down into Westminster Hall, indicate the route of the public entrance to the House of Commons in use between the year 1680, until the fire of 1834. Signal, too, is the claim this doorway also has on the associative fancy ; infinite is the variety of fame and name with which it may be coupled ; for it was trod by Somers, Harley, and Henry St. John, Pitt and Fox, Sheridan, Erskine, Burke, Windham, the Duke of Wellington, Steele, Macaulay, Sir Robert Peel,—and sadly for him was it that Mr. Perceval passed along here during the afternoon of the 11th May, 1812, as on the spot where Burke's statue now stands, by the left side of this very door into St. Stephen's Hall, watched, pistol in hand, the madman Bellingham.

*The Speaker's Mace.*—It is a popular mis-fancy that the mace now borne before the Speaker is the "bauble" mace that Cromwell ordered away when he dismissed the "rump" of the Long Parliament, 19th April, 1653.

The Speaker's mace of the reign of Charles I. doubtless perished when the Crown plate was sold "to the best advantage of the Commonwealth," 9th August, 1649.

Then came into service the Commonwealth mace, ordered June 6, 1649, ornamented "with flowers instead of the cross and ball at the top, and with the arms of England and Ireland, instead of the late King's" (Parl. Hist. iii. 1314). This was the "bauble" mace that Cromwell treated so disrespectfully ; and it soon disappeared altogether, for the Restoration supplanted it by a new mace, "with the cross and his Majesty's arms, as were formerly used" (May 21, 1660, Com. Journ. viii. 39). The mace that now lies on the table of the House bears neither date, inscription, nor maker's name ; but the initials C. R., the look of the workmanship, coupled with the order of 1660, assign it to that year.

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