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1860-1911

BY  
FRANCIS HOLLAND

THE  
CONSTITUTIONAL HISTORY  
OF ENGLAND

*SINCE THE ACCESSION OF GEORGE THE THIRD*

BY THE RIGHT HON.  
SIR THOMAS ERSKINE MAY, K.C.B., D.C.L.  
(LORD FARNBOROUGH)

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FRANCIS HOLLAND

IN THREE VOLUMES  
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## PREFACE

TO

### THE THIRD VOLUME.

IN writing a continuation of Sir Erskine May's history, I have thought it best to adhere to the general arrangement he adopted and, in his own words, "to deviate from a strictly chronological narrative" by devoting separate chapters to separate subjects. Some repetition is inseparable from this method. It has been my endeavour to avoid this as much as possible, not always, it is to be feared, with success. Another consequence has been that I have been obliged to leave out of its original place the supplementary chapter, containing a review of events between 1860 and 1870, which Sir Erskine May added to his later editions. But, in order to preserve as far as possible all the work of that eminent historian, the greater part of the supplementary chapter has been incorporated in the first and fourth chapters of the new volume.

My original idea was not only to adopt in the continuation the general form of Sir Erskine May's history, but also to make the successive subjects which he chose for his chapters the subjects respectively of the chapters in the new volume. But this soon appeared to be impracticable. The Crown alone is the subject of more than half of the first of his original three volumes. The reason of this is manifest. During the

first half of the period which he treats, the Crown was the very centre of the constitutional struggle. Their position with regard to the Crown was the main dividing line between the two parties, at a time when the Tories, brought once more to Court by George III. after their long exile, sought with much temporary success to increase the royal power and influence, to limit which was the main object of the Whigs. But in the period under review in the third volume of this edition, there has been little or no change in the constitutional position of the Crown. There have been bold strokes of prerogative, such as the abolition of army purchase in 1871 by royal warrant, or the pressure brought to bear upon the peers to pass the Parliament Bill of 1911; but these have been made on the advice of constitutional Ministers who commanded the confidence of the House of Commons, and they were in no way associated with the personal will of the sovereign. The wise use of the influence of the Crown by Queen Victoria is admirably described by Sir Erskine May at the end of his second chapter; and her example has been followed by her successors. The position and influence of the Crown to-day remain very much what they were in 1861, when the death of the Prince Consort deprived the Queen of the councillor by whose advice and her own remarkable good sense she had impressed upon the monarchy what may prove to be its most lasting character. With regard to the House of Lords, for the sake of chronological sequence, and because the early proposals for reform were few and relatively unimportant, an account of those proposals has been combined with that of House of Commons reform in a single chapter, while in the last chapter the recent constitutional crisis has been separately treated.

To continue the work of a distinguished historian

is an arduous undertaking in which few have succeeded ; but if a general sympathy with the outlook of an author were of itself a sufficient qualification for such a task, that at least, in the present instance, would not have been lacking. Sir Erskine May shared to the full the optimism conspicuous in the Whigs of his generation, and may be thought by some even to have overestimated the blessings to a nation derivable from a firm adherence to the principles of civil and religious liberty. Disliking democracy almost as much as arbitrary government, it was his fortunate lot to describe the gradual acceptance of these principles ; and he ended the first edition of his history in 1861 when the Whigs were resting after their successful labours, with the aged and conservative Lord Palmerston at the helm. The enfranchised classes were then quite content with the existing social and political organisation, although ready enough that their representatives should level down any irregularities that might appear on the legal or constitutional surface. Lord Palmerston himself, as was observed by Bagehot, drove quite out of his mind all that was not immediately practicable ; while whatever of the public attention was not engrossed by foreign affairs was chiefly given to theological controversy. On fundamentals there was perhaps less disagreement than in any earlier or later times. Toryism seemed practically extinct ; the Whigs had "settled into office and were dumb". The death of Lord Palmerston broke up this halcyon epoch. The Reform Bill of 1867 was passed, and the winds were loosed from their bag ; a new generation of statesmen arose to deal with new problems, and the era of democracy began. The vicissitudes of the constitutional struggle that ensued, with the gradual change in the political centre of gravity, it has been my endeavour in this volume to describe. There

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are many who, if living at the time when Sir Erskine May wrote the preface to his first volume, would have shared his cheerful outlook ; but who would now regard the future with the distrust and despondency that he deprecated. Yet it can hardly be denied that the general state of the British people has been and is one of progressive improvement ; and, if this be so, even pessimists must admit that the changes which they dislike have not hitherto justified their forebodings.

*16th September, 1911.*

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## CHAPTER I.<sup>1</sup>

### PARLIAMENTARY REFORM.

THE period of Lord Palmerston's last administration was marked by unusual political tranquillity. The discussions upon Parliamentary reform in 1860 had failed to awaken any excitement, or even interest, in favour of further electoral changes. After thirty years of agitation and legislative activity the minds of men appeared to be at rest. The Crimean war and the Indian mutiny had served to divert public attention from domestic politics; and the great civil conflict in the United States engrossed the thoughts of all classes of Englishmen.

Such being the sentiments and temper of the country, the venerable statesman who directed its policy, as First Minister, was little inclined to disturb them by startling experiments in legislation. No ruler was ever more impressed with the practical wisdom of the maxim "*quieta non movete*" than Lord Palmerston in the last years of his long political life. Originally an enlightened member of that party which had been opposed to change, he had developed into a member of the Liberal administration which had carried the Reform Act of 1832. Henceforward he frankly accepted the policy and shared the fortunes of the Liberal party until he became their popular leader. He had outlived some generations of his countrymen; he had borne a part in the political strifes of more than half a century; he had observed revolutions abroad and organic changes at home; and in these, his latter days, he was disposed, as well by conviction as by temperament, to favour political tranquillity. Of rare sagacity and ripe judg-

<sup>1</sup> The first eight pages of this chapter are in the main reproduced from the supplementary chapter which appeared in the later editions of Sir Erskine May's history. I was anxious to preserve that chapter in this edition, but it was impossible, consistently with the scheme of this volume, to retain it in the original form.

ment, it had long been his habit to regard public affairs from a practical rather than a theoretical point of view ; and the natural inertness of age could not fail to discourage an experimental policy.

The miscarriage of the Reform Bill of 1860 had demonstrated the composure of the public mind ; and Lord Palmerston perceived that in a policy of inaction he could best satisfy the present judgment of the country and his own matured opinions.

Such an attitude, if it alienated the more advanced section of his supporters, was congenial to the great body of the Whigs, and disarmed the Opposition, who were convinced that his rule would insure the maintenance of a Conservative policy.

Hence, during his life, the condition of the country may be described as one of political repose. There was no great agitation or popular movement ; no pressure from without ; while within the walls of Parliament this adroit and popular Minister contrived at once to attach his friends and conciliate his opponents.

Attempts to disturb the franchises of 1832.

The question of Parliamentary reform, now dropped by the Government, was occasionally pressed forward by other members. In 1861 Mr. Locke King sought to lower the county franchise to £10, and Mr. Baines to reduce the borough franchise to £6 ; but neither of these proposals found favour with the House of Commons. Again, in 1864, these proposals were repeated, without success, though supported by strong minorities. Meanwhile, reformers were perplexed by the utterances of statesmen. The veteran reformer, Earl Russell, had lately counselled the people of Scotland to "rest and be thankful," while Mr. Gladstone earnestly advocated the claims of working men to the suffrage.

In 1865 Mr. Baines's bill revived the discussion of Parliamentary reform. Though supported by Government it was defeated by a considerable majority. The debate was signalised by a protest against democracy by Mr. Lowe, which foreshadowed his relations to his own party and to the cause of reform at no distant period.

Dissolution of Parliament, 1865.

After this session, Parliament, which had exceeded the usual span of Parliamentary life,<sup>1</sup> was dissolved. The elections were

<sup>1</sup> Upwards of six years,