Conciliatory Reform.

A LETTER,

ADDRESSSED TO

THE RIGHT HON. THOMAS SPRING RICE, M.P.
&c. &c. &c.

ON THE MEANS OF RECONCILING

PARLIAMENTARY REFORM

TO THE

INTERESTS AND OPINIONS OF THE DIFFERENT ORDERS
OF THE COMMUNITY:

TOGETHER WITH

THE DRAFT OF A BILL,

FOUNDED ON THE MINISTERIAL BILL,
BAT ADAPTED MORE CLOSELY TO THE PRINCIPLES AND PRECEDENTS
OF THE CONSTITUTION.

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CONCILIATORY REFORM, &c.

MY DEAR SIR,

In addressing you upon "Parliamentary Reform," I am bound to find a sufficient excuse for offering my theoretical opinions concerning a subject, so laboriously debated by the most able members of the legislature; and which at this present moment occasions such fierce and ardent contests in every part of the kingdom. — I venture to proffer unasked council for the following reasons. — As a bystander, without a seat in the house of commons, or a place on the hustings, it does appear to me, that the advocates, as well as the opponents of the bill, have unadvisedly neglected the most important elements of moral improvement, as well as of English freedom. In the heat of political discussion, — both parties acting as partizans, — and, with respect be it said, — both swayed by heat and party spirit, — have perhaps equally erred by rejecting all attempts at mutual conciliation, and also by abandoning the paths through which we may best effect a satisfactory reform; and if the plan lately brought before Parliament be calmly and dispassionately examined, it may become dubious, whether, in its present shape, the ministerial bill be a boon to the community. In order, therefore, to embody the points, which, as I apprehend, need deep and sober consideration, I have sketched out the draft of the bill appended to this letter. An at-
tempt has been made to adapt the main and leading features of the ministerial bill to the forms and spirit of the constitution, and, accompanied by the following explanatory comment, I submit the scheme to your consideration.

I shall begin by acknowledging that I venerate the "wisdom of our ancestors." I entertain no superstitious respect for antiquity;—but comparison is the only sure test of the efficacy and merit of human institutions; and if we try our own English constitution by this criterion, we are compelled to acknowledge its excellence. In a comparatively rude state of society, England enjoyed more tranquillity than the opulent regions of the Netherlands, and more permanent liberty than the vaunted Republics of Italy. Our Parliaments, though assuming a humbler port and aspect than the Cortes of Castile or Arragon, continued to preserve and exercise their powers, whilst all the other legislative assemblies of Europe became merely the courts for registering the decrees of the sovereign, or wholly disappeared. And the crown, deprived of all power of assailing the franchises of the subject, still retains the decent pride and dignity which a monarchy requires.

Now, if we consider the elements of our Constitution, and which, though at different periods, were possessed in a greater or lesser degree by the continental states, we shall be at a loss to find any peculiar conservative principle in "old England," except in the perfection of our municipal corporations or communities.—Perhaps you will ascribe the protection of political freedom to trial by jury.—But, recollect, that in full possession of the Gothic Nemda, the natives of Scandinavia either saw their franchises wane away into an empty name, or their Diets degenerate into an aristocratical oligarchy, so odious and oppressive, that the nation gladly
accepted, by deliberate compact, the milder yoke of absolute despotism. Therefore, until the contrary can be proved, I shall believe that the constitution has been upheld by these local and independent administrations. Invested with a sufficient degree of political independence, they trained the people to fight the battles of constitutional liberty. The chartered privileges of our burghs and cities afforded the means of legitimate resistance, but furnished no weapons for wanton rebellion.

I am fully aware, from the discussions which I have had with you, that you do not hold the opinions which I entertain, with respect to our municipal institutions. I therefore address you as my opponent, but as a most intelligent, candid, and honest opponent, — as an Enquirer who will never neglect the means of ascertaining the truth, — and as a Statesman earnestly and conscientiously seeking to promote the welfare of the people. — Reject my arguments, if you choose,—but investigate the facts which they involve. That abuses have arisen in corporations, it is impossible to deny; but many charges have been exaggerated. Some defects have been increased by the mistaken tenderness which has prevailed in courts of justice. But the main root of the evil is found in the inexcusable neglect of the legislature. Instead of viewing corporations as vital portions of the commonwealth, all parties have considered these institutions merely as the convenient depositories of parliamentary interest. Every measure proposed with respect to any given corporation, has been dealt with in parliament, merely as a question between the treasury bench and the opposition; and not a thought has been bestowed upon the relation which the corporation bears to the rest of the community. The nature, I may almost say the existence, of these bodies has been wholly forgotten. And the ministers of the crown, instead of considerately applying the doctrines of corporate
franchise to the increasing population and opulence of the kingdom, have utterly blotted them out from the book of English policy.

The Cities surrounding our antient metropolis have been allowed to attain their enormous size, without the slightest attempt to give them any degree of municipal organization. This neglect is, perhaps, without a parallel in Europe. In France, the suburbs—the Paddingtons, and the Marybones, and the Finsburys of Paris—have all from time to time been included in the ban-lieu of Paris. The jurisdiction of the magistrates of Amsterdam extended with the growth of the city. Nothing of this kind has taken place in England. So miserably have our ideas been narrowed, that we consider the word "police" as simply synonymous with thief-catching. A police officer catches thieves; a police magistrate disposes of the thieves when they are caught; a thief-catching apparatus is provided; and, with this, all the care of government ends.

Let us now briefly consider the intent and spirit of the antient system,—of that system which all our modern administrations have allowed to become obsolete, and which the late reform bill tends to destroy.—Without entering into details, a corporation is a kind of joint stock company, and, if rightly administered, the poorest freeman, the holder of one share, participates in the advantages resulting from the united capital. If he has acquired his freedom by servitude, it is a testimony that he has passed his youth without disgracing himself by any act of gross irregularity or dishonesty. If he has acquired his freedom by birth, it is an inheritance imparting a certain degree of importance, and which, by connecting him with a particular vicinity, keeps him in relation—let him reside where he may—with men, who are his known and recognized superiors. It gives him
a definite character in his own class, instead of allowing him to hang loose on society. Corporation honours afford stepping-stones, by which the low-born thriving citizen, can find an easy, legitimate, and uninviting mode of attaining a due degree of rank and consequence. If, in theory, we were to attempt to devise a scheme of policy specially intended for the benefit of the meanest labourer, the wit of man could not frame a happier system, than that which enabled the Baronet, seated in his civic chair, and surrounded by the highest officers of the state, to observe to a brother Alderman, when the rose-water was poured out from the golden ewer, — "things are changed for the better since the time when we carried the hod, and were used to wash our hands in the kennel on a frosty morning." — And, but for the morbid feeling arising from extraneous causes, we should still, as of old, consider the rights of corporations as constituting the most valuable privileges of the community.

Corporations have been spoilt by all parties — I must continue to blame all parties alike — for the sake of parliamentary interest. In some corporations, as is well known, the elective franchise is vested in the select or governing bodies or classes; and I freely admit, that such a right is occasionally a usurpation of the rights of the freemen at large. In other corporations the antient select bodies, to whom the present governing bodies have succeeded, were either electoral committees chosen for the purpose of nominating the members and dissolved immediately afterwards; or they were juries, upon which all the burgesses served in turn. But whether warranted by charter or by custom, or however founded, and whether legal or illegal in its origin, any exclusive right is now entirely against sound policy and the welfare of the community: it never can be beneficial
to the corporation, and is always productive of jealousy and disunion.

The right of admission into corporations is often deplorably perverted from its original intent. In many towns, the governing bodies assume the sole right of admitting new members, and, in order to serve their own purposes, they exclude all but their own colour from the town hall. Such political monopolies should be broken down; they occasion constant dissensions between the municipal officers and the mass of the community, for whose benefit the municipal privileges were granted, and frustrate all the purposes for which a charter can be desired, — the establishment of good fellowship, good government, and good order.

Entirely, then, do I agree with the ministerial bill, as to the end, but I differ entirely as to the means. Instead of destroying the corporate right, simply divest the select bodies of any monopoly. Throw open the common council into the borough: and give, at the same time, to every inhabitant a direct interest in supporting the corporate franchise. In the early periods of our constitution, corporate* right arose from residency. Revive that principle, with such modifications as may be required by our present state of society. Allow any honest man who has lived in a house of his own, — however small or inconsiderable its value, — and who, poor and humble as he may be, has “paid his way” for seven+ years, to demand, as of right, his admittance into the corporation, and into a participation of the corporate privi-
You will thus do much more for the people than is contemplated by your late bill. No invidious restriction is imposed as to property. You give the fullest practical extent to political suffrage; at the same time, you enlarge and protect all those corporate franchises which have been so beneficial to the realm.

All existing rights of election, with the exception of out-voters, a point upon which I am not entirely satisfied, but which I concede in deference to general opinion, should remain undisturbed. No harm whatever has been shewn to result from the different genera of resident voters in some boroughs, nor from the rights of freeholders and leaseholders in others. Let no alteration be made in such of the old buildings as are allowed to stand.

That residency should afford a qualification in the new parliamentary boroughs, which, from their wealth and population have a full right, according to the principles of the constitution, to solicit the elective franchise, I fully admit; but I venture to doubt whether it should be the sole qualification, as proposed by your bill. The manufacturing towns have acquired their opulence from the labours of the Operatives—their wealth has been heaped up by the hands which drive the shuttle and wield the hammer; and if the parliamentary privilege be bestowed, let it teach the individuals of this class to advance themselves in society. I designate the manufacturing population as Operatives, because they have so called themselves.

New parliamentary boroughs to contain two classes of voters, resident householders, and persons, whether householders, lodgers, or inmates, entitled to vote upon an operative qualification. § XI. p. 35.

* London is excepted from the bill, because the freedom may be purchased by any person, upon payment of a moderate fine. And a power is given (§ VI. p. 33.) enabling the freemen of the old foundation to exclude the new class from participating in charitable funds belonging to the corporation.
They are a new race, evolved out of a new state of things, and are entitled to a new name. Let us always adopt a new nomenclature when antient terms have lost their pertinence; our operatives are not the workmen and artizans of former times, but distinguished by habits and feelings created by the present age. Following the analogy of corporations, seven years bonâ fide employment is substituted for the probation of seven years apprenticeship. Implicit submission to the laws which regulate the relationship of master and operative, is required as an element in his qualification. Here also we follow corporate analogy.

Circumstances under which an operative is to be disqualified. § XII. p. 36.

* Fifty pounds is proposed in country towns, and seventy-five in the metropolitan districts; and for the sake of the operative the largest sum ought to be fixed which can be reasonably supposed to be within his means. Name smaller sums, if necessary, but adhere to the principle.
he will be disciplined as a useful member of the community.

The Committee of inspection, composed of three justices of the peace, three Masters, and three Operatives, by whom the voter is to be certified, will become necessary for the purpose of preventing fraud. But this tribunal may ultimately answer other ends, and it will be equally useful both to the higher and to the lower orders in the manufacturing towns, by accustoming them to come together for a lawful and recognized object. And the cross election, or the nomination of operative members by the masters, and of master members by the operatives, will lead the two classes to court each other's favour. Possibly such committees might, with great advantage, be empowered to frame trade regulations, to decide disputes concerning wages, and, in short, to arbitrate between manufacturer and operative in all cases of disagreement between the two classes. If parliament could ever be persuaded to act upon a calm and comprehensive plan of legislation, it would unquestionably be found expedient to incorporate the new parliamentary boroughs; not, perhaps, by erecting them into corporations strictly according to the old forms, but in such a mode as might be best adapted for the good government of a manufacturing population. And the plan now suggested, might prepare the way for a more definite organization.

I have not attempted to alter the list of the new parliamentary boroughs, (or Schedules C. and D.,) except by proposing to omit some places which are obviously mere unmeaning masses of population. Unless you throw the whole island into electoral districts, you never can have a representation of the people according to numbers. All you can do, and all you seek to do, is to afford a representation to the interests of the people.
Wherever therefore any important interest is localized, the parliamentary franchise should be given, and given also with a liberal hand, and with a probable relation to the future increase which such interest may require. In the old time, the wealth of the kingdom was in the sea-ports and in the rich valleys of the clothing districts; now, our chief sources of national opulence are below the soil:—the steam engine must stand near the coal field. You are not legislating for the present day, but for futurity. Select, therefore, such towns which, as far as human prescience can extend, are known to contain the elements of increasing industry and opulence. Consult the geological map, not the population abstract. Select such favoured spots as are likely to retain their prosperity: give each two members, in order to afford the means of compromise between conflicting parties; but do not cast the franchise upon towns which have no claim, except from numbers without value.

It may be objected, that the qualification which I have proposed (twenty pound rent, &c.) for the resident householders is too high. But in the manufacturing towns, it will be of great importance to have two very distinct strata of voters. Let the master manufacturers and the operatives each return their members. In such towns, I rather suspect that the qualification is too low, and that thirty-five or even fifty pounds would be the proper sum. In towns where there are no operative voters, the case may be otherwise; and possibly a fifteen-pound qualification may be requisite, in order to give a sufficient extent to the constituency: but if you lower the money rate, add to the period of residence, as the test of character and respectability.

The proposal of giving representatives to the metropolitan districts, in the manner contemplated by the ministerial bill, is contrary to the spirit and the form of
the constitution. The better plan would be to erect them into Boroughs with a good and respectable municipal administration. If this incorporation be not conceded to them, let the Finsbury and Tower Hamlet districts, the Marybone district, and the Lambeth district, be severally annexed, for parliamentary purposes, to London, Westminster, and Southwark, and let their inhabitants join in returning members. Thus the principle of our constitution, which requires that all representation shall proceed from a known and definite community, will be recognized. And whatever evil might result from this extension of the elective franchise will be neutralized. It is true that there will be three concurrent rights of voting. The qualified householder and the Spitalfields operative will give their suffrages on the hustings with the liveryman of London. But, contrary to the principle of uniformity assumed by the late bill, I agree with those who maintain that the variety of qualification is a direct advantage, by preventing one class from obtaining an undue superiority over the others.

If the metropolitan districts were released from the vulgar squabbles, jobs, and dissensions of vestry government, and, as I have before observed, incorporated upon such a plan as should induce the higher classes to take their due share of magisterial authority, these communities might be authorized to return their burgesses, but upon no account ought they to possess more than one member. The higher classes of residents are almost all represented in other capacities; the lower classes, on the average, have less respectability than persons of equal rank in country towns. Instead of favouring the increase of the metropolitan districts, a wise and good government would rather labour to break them down, or at least to check their aggrandizement. A great capital always endeavours to tyrannize over the other parts of the state. Rome ruined the
Objections to the amount of metropolitan qualification — answered.

Roman empire; Paris is the bane of France; and London, "the wen," will, I fear, be ultimately our destruction.

The fifty-pound qualification for the metropolitan districts may be considered as too high, but it scarcely equals the twenty-pound qualification in country towns. The poorer neighbourhoods surrounding old London, contain an industrious and intelligent population, but they are also filled with the scum and refuse of this great city, who ought to be excluded from the franchise; but the honest working man shall have his right. The Spitalfields weaver will obtain his qualification as an operative; and the operative franchise will be extended to all other trades possessing the two requisites of a distinct body of opulent masters, and a numerous body of industrious operatives, and under such regulations as the miscellaneous nature of the metropolitan handicrafts may require.*

One of the great obstacles to reform, arises from the fear entertained by the monied, mercantile, and colonial interests, that they will not obtain an adequate representation. Such an apprehension is not without ground. I will not enter into the West Indian question, nor the East Indian question, nor the Bank question, nor into any of the important questions arising out of our mercantile, colonial, or financial policy. It is sufficient to observe that many very complicated interests have been created by law; that large and respectable classes of His Majesty's subjects have embarked their property upon the faith of the compacts entered into, and sanctioned by the legislature; and, that even under the present order of things, they have no adequate means of defending them-

* See § XIX. p. 38. Perhaps the trade societies might be rendered the basis of the organization of the metropolitan operatives, but a regular incorporation would be preferable.
selves, if, in consequence of popular opinion or prejudice, a run should be made against them in parliament.

Antiently, the citizens and burgesses were, with few exceptions, and such as do not affect the general position, traders, chosen from trading towns. In all the larger burghs there were commercial guilds—voluntary associations in their origin;—but which, in an age when continued custom made the law, gradually settled into recognized communities. In our own days, we have equivalent institutions, though under another form. That highly respectable and useful body, the Club of Underwriters at Lloyd's Coffee-house, is exactly such a guild, as, in the reign of Edward I., would have assembled under the patronage of St. Nicholas or St. Catherine. It is a society composed of men following the same occupation, who know one another,—who, by the force of their respectability, have acquired the management of a peculiar branch of business,—and who exclude all disreputable persons from their community.—As the magistrates of a borough were always chosen "de melioribus et discretioribus;" and as no man can be said to be good, in a mercantile sense, except his credit be good, it very generally happened that the mayor and aldermen were the richest folks in the borough and also the chief men in the guild; and therefore, though the legal character of the burgess deputed to parliament arose from his burgage or territorial qualification, yet in truth he was chosen for his wealth or mercantile qualification; and though he was returned to parliament as the nominal representative of the burgesses, yet in reality he was the representative of the guild. There was thus an efficient mercantile representation in the house of commons; and a perusal of the Rolls of parliament will shew, that such representation afforded a fair protection against the principal evil which the trading interest had to fear—excessive taxation.
At this present moment, the mercantile, colonial, and monied interests can obtain no representation but by a bye-way. All human institutions depend upon locality; and the single circumstance that our opulent merchants reside at the west end of the town, has taken them out of the representation of the city. They have acquired a distaste towards the corporation. Between Guildhall and the Royal Exchange there is not the slightest community of feeling: and, without meaning any disrespect towards the present respectable city representatives, I must affirm, that they have not the slightest connection with the commercial interest and money market of London. Hence, those who are the real, efficient, and natural representatives of the weight and importance of London, cannot assert the influence which they ought to possess, unless they adopt means, which, though irreconcilable to the theory of a representative constitution, have yet, to a certain degree, maintained its equilibrium.

This is a difficulty which must be fairly met, if parliament be reformed. If I could follow my own opinion, I should say—proceed by a straight-forward course: let Lloyd’s Coffee-house, and the Stock Exchange*, and the Bank, and the East India company, return their members; let all the colonial assemblies do the like; let Barbadoes and Jamaica appear by their deputies in the states general of the empire. But as I am aware that objections would be raised to such a scheme, it will be expedient to take a middle course, always following the old analogies.

* Mr. Allen, whose knowledge of the constitution renders any opinion proceeding from him of the greatest value, suggests that fundholders, as such, should return twelve members. By rendering them members of the parliamentary guilds, all technical difficulties are removed.
For this purpose, I propose that "Parliamentary Guilds" should be created in London, Bristol, and Liverpool, and upon such a basis, that every person possessing a stake, in the mercantile, shipping, colonial, or monied interest, may be included. The foreign and colonial merchants,—the capitalists who compose the shipping interest,—the fundholders, and last, though not least, the owners of colonial property, will have the legitimate means of deputing their representatives to the great council of the realm, not by any circuitous route, but in a manner analogous to the other portions of our constitution. Colonial property and funded property, of competent amount, will give to the owner the right to demand his admission into the guild; and the mercantile, shipping, colonial, and funded interests are knit and bound into one community. To each of these guilds, representatives are given, not in proportion to the number of their constituents, but according to the value of their property; they are to be taken by weight and not by tale; and according to this mode of calculation, the twenty burgesses allotted to them are perhaps scarcely adequate to their claims.

Against the formation of such guilds, various objections may be urged. The first and most weighty objection is, that the colonial interest would be drowned by the other voters. But when it is considered how closely the colonists are identified with the shipping and mercantile interest in general, it will perhaps be admitted that the objection, though worthy of consideration, is less formidable than it appears. Should the scheme be unsatisfactory to the colonial interest, you may either create distinct colonial guilds, or, as before suggested, grant a direct representation to the colonies. It is impossible, if our colonies are to be preserved, to deny them the means of exercising their due influence in the legislature.
A second objection is,—that as the Merchants and Shipowners of Liverpool and Bristol "have no west end of the town," they are not entitled to a distinct representation, separate and apart from the representation of the town. But this objection proceeds upon the erroneous assumption, that the opinions of the inhabitants at large are to be identified with the interests represented or administered by the merchants. These guilds are not created for the purpose of giving an extra vote to the individual; but in order that all those interests which ramify into the concerns and transactions of the counting-house and the warehouse may be adequately defended,—you must give a virtual representation to the produce in the store, and to the vessel on the wave.

The number of the representatives of the two universities should be increased, because at present there are no other bodies, in which all the constituents can be said to be gentlemen. They are either persons directly connected with the aristocracy, or educating for those liberal pursuits which lead the lower and middling classes into the higher and highest classes of society. Hence the value, and deservedly, placed upon the representation of the universities. For the same reason, consider whether it may not be desirable to bestow the same privilege upon the inns of court *, the colleges of physicians and of surgeons †, and the clergy of London, Southwark, and Westminster, to whom, united for parliamentary purposes, under the name of the "Three Faculties of London," the right of parliamentary representation should belong. It may, perhaps, be contended that the clergy of London, as such, have no claims to this franchise; that most physicians and members of the bar are represented elsewhere; that almost all the medical members will

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* The right of voting to be confined to barristers.
† Excluding those members who practise as apothecaries.
also vote as resident householders; and that if the clergy and the professors of medicine should disagree, the barristers will profit by the dissensions of the other two faculties, and carry the day. I cannot deny that these objections, if you urge them, are grounded upon facts, yet I am not convinced that a sufficient reason is shown against the adoption of this plan. The three united faculties, whatever may be the political character of their representatives, will never return any man by whom the tone of parliament can be lowered: whether they vote for government or for the opposition, or for neither, good will equally result from their presence in the assembly. I consider these bodies, like the universities, merely as the machinery for bringing in men belonging to the aristocracy of respectability and talent, and who cannot fairly find a constituency elsewhere. An elective franchise cannot be given to men of science or men of literature, upon a qualification of acquirement or knowledge; but eminence in science or in literature would afford a proper ground for a candidate canvassing the votes of a community which would not include any person destitute of education and acquirements. If you can cut any other channel for introducing five more persons into parliament, whose pretensions shall be principally grounded upon the foregoing claims, you may refuse the two additional university members and the members of the three faculties; but unless you can do so, I shall be inclined to retain the opinions which I have formed.

If such extensions of the elective franchise be obtained by the laity, is it not important that some concurrent protection should be given to the clergy?—All those disgraceful laws imposing civil disabilities upon dissent, equally dangerous to the state, and repugnant to the plain precepts of Christianity, have been expunged from the statute book; but for the very reason that the esta-
lished church, most fortunately for herself and for the purity of her doctrines, has lost all political ascendency, and because the clergy no longer possess any privileges which they might be tempted to abuse, is it not right that the state should ensure their possessions and endowments, and put their minds at ease?

A form of government by which any clergy are rendered hostile towards the ruling or higher powers, places the servants of the altar in a false position, and deprives this branch of our magistracy,—for, in a political point of view, we must thus consider them,—of a considerable portion of their utility. Do not suppose that I confine these magisterial functions to the establishment. The Romanist in the chapel, and the methodist in the meeting-house, are as efficacious as the rector in the church, or the bishop in the cathedral. And unless the man is teased and tempted by the legislature, the Christian priest, whatever his sect may be, will always faithfully fulfil his vocation of enforcing obedience to the temporal laws. Our dissenting clergy have nothing to fear: but is not the case otherwise with the "Church of England"?—So large a proportion of our population belongs to other churches, that a house of commons returned under any reform bill must surely contain a formidable proportion of members inclined to treat the establishment with disfavour or hostility.

Such hostility principally arises from two sources,—the first is, a dislike to the doctrines of the church, grounded upon conscientious motives, but against which the legislature is bound to protect the establishment, now so closely interwoven with our civil constitution, that the downfall of either will assuredly involve the other in ruin.

The second cause of hostility arises from the discontents created by the tithing system. No real burden is imposed
upon the farmer by the render of tithes. But it is a method of remuneration which does not harmonize with the character of the landed system in a country where rents are paid in money, and not in kind. The opinions of the people run strong, and they must be counteracted by all lawful means; and, to return to the argument with which I began, if you have an establishment at all, you must not keep the members of the hierarchy in a constant state of feverish anxiety for their existence. As a counterpoise therefore to any adverse influence, enlarge the number of spiritual lords. The Bishop of Sodor and Mann, who always sits in the convocations of the province of York, is excluded from parliament, merely upon feudal principles; because when the feudal system was in vigour, he did not hold his barony of the crown of England, but of the Lord or King of the island. Mann is now united to the crown, and therefore let the bishop have his writ of summons like his brethren. — But will this addition suffice? — The lords temporal are susceptible of indefinite increase. The prelates, who in antient times constituted a body, important from their numbers, are lost amidst the peerage. Hence it becomes expedient that the members of the dignified clergy should be called in to fill up the ranks. By granting to the crown the power of summoning any Dean as a lord spiritual, the government will have the power of supporting the establishment and the royal prerogative whenever such support shall be needed. And the denial of any right in the successor of a dean thus summoned, to demand the continuance of the summons, will enable the crown to reduce the lords spiritual, should any inconvenience be found to arise.

May it not also be expedient that the judges should be restored to their very antient privilege of voice and vote in the house of lords? — This restoration is suggested partly for the purpose of giving some additional support to government, but principally in order to repress and keep
down the prurient spirit of legislation in the lower house. The house of lords has already lost so much of its antient importance, that the peers will be wholly eclipsed by the commons, unless they redeem their character: and it may be doubted whether they can now have a better function to perform, than as constituting an efficient check upon the haste and slovenliness of the other branch of the legislature.

I must acknowledge that I feel a considerable degree of hesitation concerning the two foregoing propositions, — namely, — the increase of the spiritual lords, and the admission of the judges amongst the peers. The safety of the church, it has been objected to me, would be endangered by the introduction of new lords spiritual, who might, perhaps, be summoned on some particular occasions to support the crown, and who, by affording such support, might render themselves so obnoxious to the people, as to create an outcry against the whole hierarchy. This objection, if it be admitted, may be removed, by permanently annexing the parliamentary right to six or eight of the more opulent deaneries: or, what on many accounts would be more advisable, by dividing the larger bishopricks.

Many persons also consider that the church has already a sufficient protection, and that no further safeguard is needed; but I answer this argument by recurring to the position from whence I started, viz. that if you increase the representatives of the landed and commercial interests, you must of justice add to the weight of the interest vested in the ecclesiastical establishments. — Our parliamentary system should expand alike in all its parts.

Against the admission of the judges into the house with voice and vote as peers, it is urged, that in former times political judges have been a scourge to the country.
My answer to this objection is a short one—times have changed. — Judges must hold their opinions and have their faults like other people; but, situated as they now are, is it in the slightest degree probable that they would ever compromise their character and independence? And, I cannot devise any other mode of aggregating a competent number of dependable men of business to the lords.

But I must confess that my principal object, in suggesting these additions to the peerage, is for the purpose of reminding you, that reform of the house of commons is not a reform of parliament. I take up your bill, which is headed, in large letters, “Reform of Parliament;” but, from beginning to end, it seems as if the king and the lords spiritual and temporal did not exist—not a word does the bill contain concerning that body, which, in constitutional position at least, is the superior branch of the legislature; and it will surely be needful to consider the effects to be produced, upon the upper house, by this great and momentous change.

As yet, I have not touched upon the point which constituted the head and front of the late bill, I mean the total or partial disfranchisement of the smaller boroughs—the close and the rotten boroughs, as they are usually called. For the latter, I will not say much, except that they have assisted in keeping the balance even between the monied and the landed interest; and on the whole, they have produced more good than harm; but as to the nomination boroughs, they, in our age, exactly take the place of baronies by tenure under the antient constitution. In the old time, that branch of the legislature, which we consider as equivalent to our house of lords, contained within its walls the greatest and most influential portions of the body which we now call the house of commons. The individuals whom we designate by the
sounding and chivalrous title of Barons, were only great country squires, men of very large property, and who sat in the house in respect of that property. If they transferred their estate, the right of sitting in the house passed along with the land. Their political power was not derived from king or people. They held a station from which they could not be dislodged; and their stubborn independence was the germ of all our liberties.

Our modern close boroughs, virtually place their representatives in the position of barons by tenure. These members are the most independent in the house, and generally those whose presence is most desirable. They are opulent and well educated men, possessing every qualification for members of the legislature, but who cannot labour to obtain the suffrages of the multitude; and in almost every occasion when it has been necessary to mediate between contending parties, their influence has been exerted in favour of rational liberty. As for the epithets applied to the owners of this species of property, they signify nothing. If a disciple of the venerable Major Cartwright cries out against the "borough-mongering oligarchy," I can exclaim just as loudly against "radical democracy." But after all, what do our respective outcries prove? Merely that we are both very angry,—or making believe to be so,—and that we employ invective instead of argument; for it still remains to be shewn whether the "oligarchy" have done worse than any set of men whom any other process can substitute in their stead.

Until, therefore, it can be ascertained whether the new channels will introduce into the house such a number of gentlemen as may enable the assembly to sustain its proper tone, and such a proportion of the representatives of the colonial, commercial, and monied interest as are required by the condition of the country, some of the
“close” and “rotten” boroughs ought to subsist with an unaltered right of voting or nomination, — burgage, corporate or otherwise howsoever; — and, instead of the total and partial disfranchisements proposed by your late bill, let such boroughs return according to a cycle, or in rotation, taking one third (or any other convenient proportion) in each parliament. This principle of parliamentary rotation has been recognized in Scotland and in Ireland; and I recommend it in the present case, as the best means of diminishing the objections to the continuance of this portion of our old system. There will only be sixty-six members of this class in the house at any one time; and by shifting the interest in each Parliament, no one man or set of men will possess that unbroken influence, from which the most unpopular feature of the so called oligarchy is derived. If this plan be not advisable, and I have heard objections against it, as tending to produce a jealous feeling amongst those who are thrown out of their turn, the union of boroughs into districts may be adopted, according to the Welch system, and which, as I am told, is found in practice to be advantageous and satisfactory.

Whether parliament be or be not reformed, some changes are absolutely necessary with regard to the laws originally introduced for the purpose of checking an evil which can never again excite apprehension—the supposed influence of the crown, — or in other words, of ministers for the time being. The statute avoiding the elections of persons accepting office, if ever necessary, is now productive of great inconvenience: in a reformed parliament it will expose any ministry to constant sources of weakness and vexation. This must be repealed; but as it is expedient that members should have the power of vacating their seats, let them do so by law, and not by connivance.
All the disqualifications and restraints imposed upon placemen and government officers should be entirely repealed. Placemen and government functionaries are no longer the servants of the crown, but of the public. The People make Parliament; Parliament makes Ministers; and Ministers govern the country and put those in place and power whom they can trust. Before the public press had attained its present degree of influence, these checks might have been expedient; now they are useless; in a reformed parliament they will be most injurious to the welfare of the state. The great problem then will be, how to give an adequate degree of stability to government; and if ministers can exercise any influence through their dependents, they ought to be allowed to do so, openly, in broad day-light, and without any false modesty or disguise. In the lower grades, or amongst the electors, such influence would not be extensive. But I chiefly object to the mischievous principle which the restrictions involve, namely, that a minister is a traitor ex officio, and that a person employed by ministers, must be necessarily tainted, and therefore degraded, and held up as a self convicted conspirator against national liberty, of whom all lovers of their country should beware.

Abolish, therefore, all these factitious disqualifications; but let us avail ourselves of the present crisis to introduce, as far as is practicable, a moral qualification. Any scheme for bestowing direct legislative rewards for the good conduct of the working classes must be Utopian and visionary; but if an extension of the elective franchise does take place, it is most imperative upon the legislature so to grant the privilege, as that it may become the means of helping the poor in their endeavours to attain moral and social improvement. Upon this ground, and this ground only, do I propose that the receipt of parochial relief, after the age of twenty-one years, should operate as a total bar
to the attainment of corporate rights by residence, and as suspending, for a long term, all elective franchise. I am told by persons, whose opinions I greatly respect, that such a regulation is hard, inasmuch as poverty is not a crime. Certainly poverty is not a crime in itself; but by the bad administration of good laws, we have rendered pauperism a crime. We have created the degradation; and it is of the utmost importance to give to the lower classes every possible stimulus to keep themselves out of the gulph, into which, if they merely tread on the verge, they are sure to fall. For the sake of the community, let the individual feel that the consequences are almost irretrievable. Let the working man feel that he loses caste if he applies to the parish. Shew him how he may earn his franchise: but for his sake, for the sake of his wife and family, let his political right result from industry, good conduct, and good character. Bankruptcy and insolvency must disqualify, for the same reasons, and for a long term. Felony*, or fraud, though not amounting to felony, should be punished by perpetual loss of political rights. In case of bankruptcy, will it be said that the enactment bears as heavily upon misfortune, as upon extravagance or dishonesty?—But all human laws must occasionally fail in discriminating between the individual cases of those whom they affect, and we can only act upon the supposition, that the punishment of the individual will redound to the general welfare of society. Now I contend, that it will be for the benefit and advantage of the middling and lower classes, to create a species of aristocracy amongst them. Render political privileges the means of raising their standard of honour. The title of Voter, like that of Citizen in the old time, will thus become a distinction, a testimony of character and respectability.

* By the decisions of committees, felony has already been declared to create a perpetual disability.
With respect to the different periods of residence to be required for the acquisition of the corporate or elective franchise, the friends to whom I have submitted my scheme have at first objected to such periods as being much too long; and after having made this objection, they have retracted it upon the following explanatory argument.—Continued residence, is the best test of character amongst the lower classes. As a general rule, it may be safely maintained, that working men, tradesmen, and shop-keepers, are honest, industrious, and moral, exactly in proportion to their local stability. The dissolute migrate to conceal their profligacy; the knavish, to find new prey; the idle, to excuse their idleness. Consider how forcibly our common speech bears testimony to this truth. What terms of reproach are more significant than Scamp and Vagabond?—Those who believe that the true wealth of nations consists in their morality, may doubt whether the advantages arising from our mail coaches and rail roads are not in some measure counterbalanced by the incitement thus given to unsettlement. But, be that as it may, ask any person acquainted with the habits of the middling and lower classes, whether, in order to promote their welfare, their improvement, and their comfort, it is not of the utmost importance to encourage them in habits of local stability? If the principles of deriving qualification from long residence, and of imposing disqualification as the punishment of disobedience to the law, were sufficiently extended, I should scarcely be afraid of universal suffrage.

Alter the constituency, however, as much as you choose, you will yet have proceeded but a very little way in "parliamentary reform;" you will have discharged but a very small part of your duty. If the house of commons has brought itself into disrepute, it is because the members no longer enter the House as a deliberative assembly, but as a debating society. In order that you, members,
may be taught to husband your time, determine the length of your career, and close your sittings within such a period as may be sufficient for the dispatch of business, provided not a day be lost. Place the hourglass upon the speaker's chair, and look at the sand as it is running out. It is very true that if you, commons, continue your present habits of wrangling and prize fighting, the country might, under this enactment, be left at the mercy of a single long-winded orator; but the limitation will have the effect of compelling you to review your whole course and manner of transacting parliamentary business, and to reform yourselves.

Can any man deny but that in all those proceedings in which the House, under the appearance of a legislative assembly, is in fact a court of justice, a reform is most imperatively necessary? — According to the original constitution of parliament, it was the court in which the king heard the "clamores populi;" and upon the petition of his Lieges he proposed the remedial law. Now, all the remedial functions are absorbed by the house of commons; and instead of attempting to proceed by order and rule, the members disregard all order, all rule, and very often all feeling of justice. The right of petitioning is so abused, that its beneficial influence is entirely lost. In relation to public measures, both parties, or all parties,—Whigs, Tories, Radicals, High-church, Low-church, and No-church,—for none can be exempted from the censure, employ the petitions of the people, "got up," — a vile but significant phrase, —merely as weapons of hostility. Any accusation may be launched against any individual; charges are preferred without responsibility, offered without proof, and reiterated after they have been disproved. The House now encourages every attack upon private character; and property and life will soon be attacked in the same guise.
In that most important branch of jurisdiction, the granting of the privileges or powers conferred by private or local bills, it is sufficient to observe, that no promoter or opposer of any such a measure, can, in his own heart, have the slightest confidence in the justice of his case. It is possible that the party who is most powerful in a committee, may have right on his side, but the coincidence of interest and equity is a mere chance; and though every week in every session must convince every member of the abuses in which he participates, no one has risen to propose a remedy.

I am however digressing from the subject immediately under consideration. If the great question be carried, consider not the result as the triumph of one faction over another, but as a compromise effected for the common good of all. Divided as the nation now is, neither party ought to obtain the full extent of their desires. The reformers ask too much by labouring to impose a new form of government upon their fellow subjects. The anti-reformers are equally unreasonable in seeking to give an irrevocable denial to the wishes of so large a portion of the inhabitants of the realm. A change in the constituency must take place, in order to avert a change in the constitution. It is not by putting the clock back, that we can alter the time of day. But let reform be a pledge of peace, and not a source of disunion and hostility.

Francis Palgrave.

4th May 1831.
CONCILIATORY REFORM.

A BILL to extend the Elective Franchise, to change the Course of Representation in certain Parliamentary Boroughs, and to effect concurrent Alterations in the House of Lords.

Whereas, for the preservation of the constitution in church and state, the maintenance of the just and lawful prerogatives of the crown, and the defence of the franchises and liberties of the subject, it is expedient that the laws, statutes, customs, and usages relating to and regulating the election of knights, citizens, and burgesses, in England and Wales, should be so altered and amended as to afford a more full and complete representation of the various ranks, orders, and interests of the people at large, in the commons house of parliament: and that concurrent alterations should be effected in the House of Lords;

Be it therefore enacted, &c. that all lands and tenements of the clear yearly value of ten * pounds at the least above all reprizes, held by copy of court roll or by any customary or base tenure, shall, from and after the end of this present parliament, qualify and entitle the tenant thereof to vote at the election of knights of the shire, in such and the same manner, to all intents and

* Qu.?
purposes, as if such tenements were held by freehold tenure; and that all and every the laws and usages now in force relating to the right of voting for the election of knights of the shire in respect of a qualification derived from lands or tenements of freehold tenure, shall, mutatis mutandis, extend to lands or tenements held by copy of court roll or otherwise as aforesaid.*

II. And be it further enacted, that in all corporate cities and boroughs in which any right of electing citizens or burgesses is now vested in the citizens, freemen, burgesses, or other corporators, members of such corporations, or in any select or governing body in such corporations; acting or supposed to act in any corporate right, (the city of London and any corporation included in schedule (A B.)† only excepted,) all persons who shall be or shall have been bonâ fide resident housekeepers, dwelling in such cities or boroughs, paying scot and lot, for the period of seven ‡ consecutive years, shall, from henceforth and for ever hereafter, be deemed and taken to have an inchoate right to be admitted as freemen or burgesses of such corporations, and to demand such admission, in the same manner as if such right had been acquired by birth, servitude, or in any other manner now recognized by law, upon payment of such reasonable fines (if any), (not exceeding £ ,) as, according to the customs and usages of such respective corporations, shall be due upon the admission of freemen or burgesses by birth or servitude.§

* This short clause, is substituted for the longer clause in the bill, which gives the right to the person, as being more in conformity to the language of parliamentary law.
† Excepted, in order that they may remain in statu quo, only suspended for two Parliaments out of three, (§ XL. p. 43.)
‡ See p. 28.
§ This clause will give the inchoate right to every scot and lot man, however inconsiderable his tenement may be; after he has fulfilled the conditions imposed, i.e. of aggregating himself to the corporation.
III. And be it further enacted, that no person who shall ever* have received parochial relief after attaining the age of twenty-one years, shall be entitled to demand his freedom by virtue of residence.

IV. Provided always, that no person admitted as a freeman or burgess by virtue of this act, shall transmit any inchoate right of freedom to his child or children.

V. And be it further enacted, that if any freeman or burgess admitted pursuant to this act, shall cease to dwell and reside within the limits of such corporate city or borough or within five miles thereof, for more than one year at any one time, that then and in such case he shall be ipso facto disfranchised; but that if he shall return to and again reside therein, he shall be entitled to be re-admitted, after one year's residence.

VI. And be it further enacted, that it shall and may be lawful for any such corporation, by bye law duly made according to the charter or present usage thereof, to exclude freemen admitted upon residency from any participation in any common right or stint upon the lands of such corporation, or in any charitable or other corporation fund, and that no freeman admitted upon residence, shall have any vote in the making or rescinding of such bye law.†

VII. And be it further enacted, that in all corporate cities and boroughs now sending members to parliament, other than and except any corporation or reputed corporation included in schedule (A B.)* the right of election shall, from and after the end of this present

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classes of voters now enjoying such right.

parliament, be and the same is hereby vested in the citizens, freemen, and burgesses, or corporators at large; but nevertheless jointly with any other class or description of voters (if any) now exercising the elective franchise in such corporations respectively; any charters, customs, laws, or usages to the contrary in anywise notwithstanding.

VIII. And be it further enacted, That the several boroughs, manufacturing towns, and places named in the schedule (C D.) * shall henceforth be respectively, and they are hereby declared to be, new parliamentary boroughs; and shall, from and after the end of this present parliament, respectively send two burgesses to serve in the high court of parliament; and that the persons described in the fourth column of the said schedule, shall be the returning officers thereof respectively; and that all and every the townships, parishes, and places named in the second column of the said schedule shall, for parliamentary purposes (but for no other purpose), be deemed as part and parcel of the said boroughs respectively.

IX. And be it further enacted, that the right of voting in all the new parliamentary boroughs created by this act, shall be vested in the resident householders dwelling within the same, and paying scot and lot, and qualified as herein-after mentioned; and also in such operatives (whether householders, lodgers, or inmates,) as shall possess the qualifications herein-after specified.

X. Provided nevertheless, that no such householders as aforesaid, shall possess any right of voting at any par-

* That is to say, one schedule containing the two schedules (C.) and (D.) of Lord John Russell’s amended bill, omitting Greenwich, Deconport, Brighton, Cheltenham, and the Metropolitan Districts.
liamary election, in any of the said new parliamentory boroughs, unless he shall have bonâ fide resided and dwelt within such borough for the period of three* consecutive years, nor unless the tenement wherein he dwells shall be of the clear yearly value of twenty pounds, or rated in his name either to the duty on inhabited houses or for the relief of the poor upon a yearly value of twenty pounds, or bonâ fide subject to a clear yearly reserved rent of twenty pounds, nor unless all rent, rates, taxes, charges, and impositions due in respect of the tenement from which he derives his qualification, shall be wholly paid and discharged.

XI. And be it further enacted, that every operative who shall have bonâ fide worked and dwelt either as householder, lodger, or inmate for the term of seven* years in any of the following manufacturing towns, which by this act are declared to be new parliamentary boroughs; viz. Manchester, Birmingham, &c. &c. [names of towns to be inserted], shall be entitled to vote at parliamentary elections, provided he shall during such period have been bonâ fide employed as an operative in any of the staple manufactures named in the third column of schedule (C D.), with respect to such several towns, and certified as such in manner herein-after mentioned, and provided he shall possess the sum of fifty pounds† of his own monies, standing in his own name in a savings bank, or invested in any of the government or public funds or securities, which sum, or the last instalment or portion thereof, shall have been paid in or invested at least one year previous to the election.

* See p. 28.
† If this amount be reduced in any of the smaller towns, the term of residence to be lengthened, say to seven years.
‡ Perhaps a smaller sum should be inserted, (p. 10.) Sums invested in the names of the children of the party, might be allowed to stand as part of the qualification of the father.
XII. And be it further enacted, that no person whatever shall be entitled to vote at parliamentary elections upon an operative qualification, who, from and after the passing of this act, shall be lawfully convicted of any offence contrary to an act of parliament made and passed in the sixth year of His late Majesty, intituled “An act to repeal the laws relating to the combination of workmen, and to make other provisions in lieu thereof.”

XIII. [Fictitious pecuniary qualifications to be forfeited; and any operative voting upon a fictitious qualification to be for ever disfranchised.]

XIV. And be it further enacted, that no householder, being a bonâ fide operative, shall be entitled to vote at parliamentary elections upon a qualification arising from residence; but that if he shall cease being an operative, and become a qualified resident (in the place where he worked as an operative), he shall, as such, be entitled to the elective franchise after the expiration of one year.

XV. And be it further enacted, That in each of the said manufacturing towns or boroughs there shall be a committee of inspection, consisting of three of His Majesty’s justices of the peace, who shall be nominated by the order of justices in quarter sessions assembled, for such period as in such order shall be specified; three master manufacturers, to be named in the first instance for the ensuing year by His Majesty in council, on or before the 31st day of December 1831, and afterwards annually elected by the qualified operatives; and three qualified operatives named in like manner by His Majesty, and afterwards annually elected by the master manufacturers; any five or more of which committee, (a justice of the peace, a master manufacturer, and an operative, being
always three of such five,) shall be a quorum for the purposes herein-after contained.

XVI. And be it further enacted, that no operative shall vote at any parliamentary election unless the committee shall certify, upon due proof before them, by oath or otherwise, (and which oath one of the said justices of the peace shall be authorized to administer,) that the operative is duly qualified pursuant to this act; and for which certificate, if granted, he shall pay the sum of ten shillings.

XVII. [Mode of electing committee. — Committee to be empowered to make regulations for carrying the act into effect. — Certificates to be entered in a book to be kept for that purpose, — no operative to vote upon a residentiary qualification, until the committee shall strike him out of the book, which they are not to do until they are satisfied that he has bona fide ceased to be an operative; their decisions in all cases to be without appeal.]

XVIII. And be it further enacted, that the several townships, parishes, and places enumerated in schedule (E.) * shall, for the purposes of this act, but for no other purpose, be annexed to London, Westminster, and Southwark respectively; and the resident householders dwelling within the precincts of such townships, parishes, and places, qualified according to this act, upon an annual rate or rental of fifty pounds, and also such qualified operatives whether householders, lodgers, or inmates in the said townships, parishes, and places as are herein-after mentioned, shall be respectively entitled to vote at the respective Parliamentary elections for

* London — Finsbury, Tower Hamlets, &c.
Westminster — Mary-le-bone, &c.
Southwark — Lambeth.

C 3
London, Westminster, and Southwark, jointly with the several classes of voters now entitled to vote at such elections respectively.

XIX. [Metropolitan operatives.—The franchise to be given to such trades and occupations as possess the two classes of opulent employers and a numerous body of workmen—weavers—tailors—printers—coachmakers, &c. A committee of inspection in each trade.—Pecuniary qualification, seventy-five pounds. No master to be qualified to act as a committee-man, unless he shall have been in business for five years. Franchise of an operative joining in any riot or disturbance, not within the combination act, to be suspended for the two general elections next following his conviction, whether before a magistrate or otherwise, and for any bye-election in the meanwhile.*]

XX. And be it further enacted, that from and after the end of this present parliament, the city of London shall return five citizens to serve in parliament, the city or reputed city of Westminster three citizens or burgesses, and the borough of Southwark three burgesses.]

XXI. And for the purpose of preventing any doubt or ambiguity as to the construction of this act, be it hereby declared, that no inchoate right of freedom shall be acquired by residence in the city of London, or within the precinct annexed thereto for parliamentary purposes, by virtue of this act; nor shall this act, or any thing herein contained, give any power or additional powers or jurisdiction in the townships and other places annexed to London, Southwark, and Westminster, for the purposes of this act, either to the corporation of London, or to the dean and chapter of the collegiate church of Saint Peter Westminster, beyond the powers or jurisdiction now enjoyed by such corporation and dean and chapter.

* See p. 14.
XXII. And be it further enacted, that all merchants trading to parts beyond the seas (and such other persons engaged in shipping business as are herein-after mentioned), residing or carrying on business within the city of London, the city of Westminster, and the borough of Southwark, or the precincts respectively annexed thereto by this act, and also all such persons possessing funded or colonial qualifications as after mentioned, shall be and the same are hereby declared to be a parliamentary guild or community; and as such shall, from and after the end of this present parliament, and for ever hereafter, return twelve burgesses to the high court of parliament.*

XXIII. And be it further enacted, that it shall and may be lawful for His Majesty, by letters patent or charter under the great seal, to incorporate such merchants and other persons by the name and style of "The wardens and freemen of the community of the mercantile, colonial, and monied interest of London," with perpetual succession; and by such letters patent to name the first freemen of the said community, and also, a warden, vice-warden, and common council, or ruling body, from and out of such freemen; and to give all necessary powers for the election of their successors, and for the better enabling the freemen of the said community to elect and return their representatives with order and regularity, but not for any other intent or purpose whatsoever.*

XXIV. Provided always, and be it further enacted, that from and after the granting of the said charter, no merchant or other person shall be entitled to vote at the election of burgesses to represent the said community

* Perhaps for the reasons mentioned in p. 17, a distinct guild should be created for the colonial interest.

* For the reasons mentioned in p. 17, a distinct guild should be created for the colonial interest.
in parliament, until he shall have been admitted as a freeman of the community by the warden or vice-warden, and common council, upon due proof, by oath or otherwise, (and which oath the warden or vice-warden shall be empowered to administer,) of his possessing the qualifications herein-after required, and upon payment of the sum of five pounds to be applied for the purpose of defraying the expences of the said community in such manner as the charter shall direct.

XXV. [Admission of freemen to be recorded in the books of the community.]

XXVI. And be it further enacted, that no merchant or other person shall be named in the said charter or admitted into the said community unless he shall have been bonâ fide engaged in trade and commerce to parts beyond the seas, for the space of five consecutive years, or unless he shall have carried on business during the same period as an underwriter, ship-builder, ship-broker, or ship-owner, or unless he shall possess such funded or colonial qualifications as after mentioned.

XXVII. And be it further enacted, that if any freeman admitted as aforesaid shall cease to carry on trade or business in manner before mentioned, that then and in such case, he shall cease to be a freeman of the said community; but that if he shall resume trade or business, he shall be entitled to be re-admitted after the period of one year.

XXVIII. And be it further enacted, that a partner in any firm or copartnership carrying on trade or business as aforesaid, shall be deemed to be a qualified merchant, ship-builder, ship-broker, or underwriter, within the true intent and meaning of this act.
XXIX. [Similar communities created in Liverpool and Bristol, each to send four burgesses.]

XXX. And be it further enacted, that any person who shall be bonâ fide possessed in his own right of government stocks or funds to the amount of £1,000 capital stock or upwards, or £30 per annum in any terminable government annuity, standing in his name in the transfer books of the Bank of England, or of £500 Bank Stock or East India Stock, standing in like manner in his own name in the books of the Bank or East India Company, shall upon due proof, &c. be entitled to be admitted as a freeman in any one of the said communities.

XXXI. And be it further enacted, that the owner, proprietor, or mortgagee of any estate or plantation in any of His Majesty's colonies in the West Indies, upon which there shall be twelve or more registered slaves, or upon which produce shall be raised of the average annual amount of one hundred pounds (to be calculated upon an average of three years), or who shall be in the receipt of an annuity or rent-charge of the amount of fifty pounds sterling, arising out of any estate or plantation in the West Indies, and residing in any part of the United Kingdom or the colonies, shall, upon due proof, &c., be entitled to be admitted as a freeman of any one of the said communities.

XXXII. Provided nevertheless, that no person shall be admitted upon a colonial or funded qualification into more than one of the said communities, nor until he shall have been bonâ fide in possession of his qualification for the term of one year, unless he shall have become entitled to such qualification by marriage, devise, bequest, or by virtue of the statute of distributions; and that upon ceasing to possess his qualification, he shall be ipso facto disfranchised.
XXXIII. [Regulations as to disputed colonial votes.]

XXXIV. And be it further enacted, that the societies of the Four Inns of Court, the corporation of the College of Physicians, the corporation of the Royal College of Surgeons, the corporation of Sion College or the London clergy, and all incumbents of the parish churches of London without the walls, of the city of Westminster, of the borough of Southwark, and of the parishes included in the precincts annexed by this act to London, Westminster, and Southwark, shall, for parliamentary purposes (but for no other purpose), be one community, by the name and style of "The united community of the three faculties of London," and as such shall, from and after the end of this present parliament, and for ever hereafter return three burgesses to parliament; and that it shall and may be lawful for His Majesty, by letters patent, or charter under the great seal, to unite and incorporate the said societies, corporations, and clergy accordingly; and that such charter shall contain powers for the appointment of a returning officer, and such other powers as may be expedient for the purposes of this act, but for no other intent or purpose whatsoever.

XXXV. Provided nevertheless, that neither this act nor such charter shall be construed in anywise to extend, abridge, or alter any of the rights, privileges, powers, or duties of the said societies or corporations, or any of them.

XXXVI. Provided always, and be it further enacted, that in the said united community of the three faculties the right of voting at the election of burgesses, so far as the same appertains to the Inns of Court and the Colleges of Physicians and of Surgeons, shall be vested in all persons called to the bar by the said Inns of Court respectively; and in the fellows and licentiates of the College of
Physicians and the members of the College of Surgeons, (not practising pharmacy), duly admitted by the said corporations respectively.

XXXVII. And be it further enacted, that from and after the end of this present parliament, each of the two universities of Oxford and Cambridge shall return three burgesses.

XXXVIII. [No freeman to vote at any election unless he shall have resided within the limits of the corporation or within five miles thereof for six calendar months prior to the election. — Not to extend to any freeman of any corporation in schedule (A B.).]

XXXIX. And be it further enacted, that no person shall be entitled to vote at any parliamentary election whatever who shall at any time after attaining the age of twenty-one years, and within fourteen years previous to such election, have received parochial relief, or have become bankrupt or insolvent, or have compounded with his creditors, or have taken the benefit of any act for the relief of insolvent debtors, or who shall at any time have been convicted in any of His Majesty's courts of record, of felony, or of any illegal conspiracy or confederacy, or of any act of fraud or embezzlement not amounting to felony.

XL. And be it further enacted, that the ninety-nine boroughs named in the schedule* (A B.) shall from and after the end of this present parliament cease to send burgesses to each and every parliament to be hereafter summoned; but that they shall send such burgesses

* One schedule, to include the ninety-nine boroughs named in schedules (A.) and (B.) of Lord John Russell's amended bill. In this bill it ought to have been distinguished as schedule (C D.), whilst the schedule of new Boroughs, as standing first, ought to have been called (A B.) But these
to parliament by rotation, or in turns; that is to say, the thirty-three boroughs in the first division of such schedule, to the first parliament to be summoned after the end of this present parliament; the thirty-three boroughs in the second division of the said schedule, to the next parliament; and the thirty-three boroughs in the third division, to the third parliament after the end of this present parliament; and so on for ever hereafter.*

XLI. And be it further enacted, that so much of an act of parliament made in the sixth year of the late Queen Anne, and intituled "An act for the security of Her Majesty's government, and of the succession of the crown of Great Britain in the Protestant line," as avoids the election of a member of the house of commons accepting of any office of profit under the crown, shall be and the same is hereby repealed.

XLII. [A similar repeal of the statute 10 Geo. IV. c. 62.]

XLIII. And be it further enacted, that if any member of the house of commons shall be desirous of vacating his seat, and shall in his own proper person or by petition under his own hand attested by, &c. move or pray that his election may be avoided, that then and in such case it shall and may be lawful for the house (if the house shall so think fit) to declare, by resolution, such his election void accordingly, and at the same time to order that a new writ shall issue, in the usual manner, for electing a member in his place.

cabalistic letters have become so inseparably connected with the idea of disfranchisement, that I found it was hardly possible to persuade those friends who inspected the proofs, that any other power could be assigned to them.

* Under this clause, and II. p. 32, VII. p. 33, and XXXVIII. p. 43, all rights of voting in these boroughs will remain in statu quo, but suspended for two parliaments out of three.
XLIV. And whereas by an act, &c. [titles of disabling statutes to be inserted] persons engaged in the management of the revenue, persons holding new offices under the crown, pensioners during pleasure, police magistrates, government contractors, and place-men in certain public offices, as in such acts are mentioned, are disabled and restrained from sitting in the commons house of parliament; and it is expedient that such disabilities and restraints shall be removed; be it therefore enacted, that from and after the end of this present parliament all such parts of the said acts as create or impose the said disabilities and restraints shall be and the same are hereby wholly repealed.

XLV. And whereas by an act, &c. [titles of disqualifying statutes to be inserted] revenue officers, the commissioners and others concerned in managing or collecting the duties of excise, customs, and the duties on stamps, and various other branches of the public revenue, police magistrates, officers, and constables, are disqualified and restrained from voting at or interfering in elections; and it is expedient that such disqualifications and restraints shall be removed; be it therefore enacted, that from and after the end of this present parliament all such parts of the said acts as create the said disqualifications and restraints shall be and the same are hereby wholly repealed.

XLVI. And, for the purpose of removing any ambiguity as to the meaning of the term "resident householder," be it further enacted, that any person habitually occupying or using any tenement in any city, borough, or other place sending members to parliament, or which shall acquire such right by virtue of this act, for the purpose of carrying on any trade, business, or profession therein, shall be deemed to be a resident
householder in respect of such tenement; provided he shall be charged as tax and rate payer, or shall be a partner in any firm or copartnership so charged.

XLVII. And be it further enacted, that the returning officers for the boroughs and places named in the schedules (C D.), in relation to which no returning officers are specified, shall be nominated by His Majesty in council, within two months after the passing of this act, and that such returning officers shall continue until the first day of February one thousand eight hundred and thirty-two; and that in the course of the month of January one thousand eight hundred and thirty-two, and in every succeeding year, such returning officers shall be nominated in like manner, who shall continue in office for one year from the first day of February thence next ensuing; and if any such returning officer shall die, or become incapable of acting, a successor shall be appointed in like manner for the remainder of the current year.*

XLVIII. And be it further enacted, that in no one session of parliament shall the house of commons sit for more than eighty-four days, each and every day upon which a house of forty members shall be made, to be told for and reckoned as one of such days; and that upon the last of such eighty-four days, the house shall close and be adjourned sine die, and shall not have the power of sitting again until the next session of parliament.

* In the ministerial Bill, the Sheriff nominates the Returning Officer, a power that might be much abused. The appointment by the King in Council, is suggested by analogy to the appointment of Sheriffs; it is not free from objection, but unless corporations be created, it will be difficult to suggest any other advisable mode.
XLIX. [Prorogation in such case to be made by proclamation.]

L. And be it further enacted, that if the house of commons shall at any one time adjourn for more than fourteen days, every day during which such adjournment shall last beyond fourteen days shall be reckoned and told as one of the eighty-four days above mentioned.

LI. And be it further enacted, that if the house of commons shall at any one time adjourn for more than fourteen days, every day during which such adjournment shall last beyond fourteen days shall be reckoned and told as one of the eighty-four days above mentioned.

LII. And be it further enacted, that from and after the end of this present parliament it shall and may be lawful for His Majesty to summon any dean of any cathedral or collegiate church to parliament; and that every dean so summoned shall sit as a lord spiritual in the lords house of parliament, and have, possess, and enjoy all and every the rights and privileges of a lord spiritual.*

LIII. [Regulations as to precedency.]

LIV. And be it enacted, that from and after the end of this present parliament the bishop of Sodor and Mann, and his successors, shall have summons to parliament in the same manner as the other bishops of the province of York.

LV. And be it further enacted, that from and after the end of this present parliament the justices of the courts of King's Bench and Common Pleas, and the

* But subject to the question as to the expediency of permanently annexing the right to six or eight of the most opulent deaneries, (p. 22.)
barons of the Exchequer, shall, so long as they hold their offices, sit and have voice and vote in the lords house of parliament, as if they were peers; and have their writs of summons accordingly.

LVI. Provided nevertheless, that no judge or baron of the Exchequer thus summoned, shall be entitled to any privilege of parliament, except within the walls of the house of lords; and that neither his person nor his blood shall be ennobled thereby.