

The majority against the motion which had passed in the House of Commons was forty-four. But there were admissions in the course of the debate which were as important as a majority in favour of the resolution. The lord chancellor and the duke of Wellington had admitted that the Catholic question was a great difficulty, out of which they at present saw no outlet. "This statement," said the marquis of Lansdowne, "having been made by two noblemen so high in the confidence of the sovereign, it almost necessarily follows that it is accompanied with their intention of looking at this difficulty with a view to its final arrangement."*

The appointment of Mr. Vesey Fitzgerald to a ministerial office caused a vacancy in the representation of the county of Clare. The contest for this seat produced events in Ireland "of deep importance, especially in their relation to the Catholic question."† Mr. Fitzgerald was a person of great influence in the county of Clare. He had conciliated the Roman Catholics by a constant advocacy in Parliament for the removal of their disabilities. Certainly no Protestant could have had a fairer chance of support, not only from the landlords but from their tenantry. Yet the whole power of the Catholic Association was called forth to prevent his return, and to secure the election of Mr. O'Connell, who, by his faith, was disqualified from sitting in Parliament. During the short administration of Mr. Canning the Association, founded in 1823, had voluntarily dissolved itself, having confidence that the Minister would bring forward some effectual measure of relief. The accession to power of the duke of Wellington and Mr. Peel, and the subsequent changes in the Cabinet which had disturbed the balance of opinions on the greatest question of domestic policy, revived the Association with new strength, which was calculated to produce the most serious alarm. Lord Anglesey, the Lord-Lieutenant, had gone to Ireland with the decided opinion that concessions to the Catholics should be refused. What he saw there in the summer of 1828 produced in his mind a conviction of the positive danger of persevering in the old system of policy. Mr. O'Connell, whose power as a demagogue was probably never exceeded by any Irishman or Englishman—gifted with a popular oratory which completely won the hearts of a fervid peasantry—professing the utmost deference to the Catholic priesthood, which he swayed as much by his devotion as a son of the Church as by his prompt and versatile ability—wanting perhaps

* Hansard, vol. xix. col. 1292.

† "Memoirs by Sir Robert Peel," vol. i. p. 105.

"very determined courage,"* but with every other quality for the leader of a rebellion—Mr. O'Connell stirred up his countrymen to a madness of which the Clare election was the type. The Catholics had a common grievance and a common sympathy, which, since the Union, had been a constant source of irritation and of occasional alarm. But a real sense of the imminent danger of refusing concession had never been produced, until the proof was supplied by the Clare election that local and personal attachments were weakened, that the friendly relations of men in different classes were loosened, and that a power had arisen "to unite the scattered elements of society into a homogeneous and disciplined mass, yielding willing obedience to the assumed authority of superior intelligence, hostile to the law and to the government which administered it."† At the period of the Clare election the Lord-Lieutenant wrote to the Home Secretary that he was quite certain that the agitators could lead on the people to rebellion at a moment's notice, but that the hope of tranquillity, present and future, rested upon the belief of O'Connell and his friends that they could carry their cause by agitation and intimidation, without coming to blows. Lord Anglesey believed their success to be inevitable. "There may be rebellion; you may put to death thousands; you may suppress it; but it will only be to put off the day of compromise, and in the meantime the country is still more impoverished, and the minds of the people are, if possible, still more alienated."‡ On the 5th of July Mr. O'Connell was elected for Clare. A petition against his return was presented to the House of Commons, but nothing was done, for the Session was nearly at an end. The great Agitator did not attempt to take his seat during the three weeks which elapsed between his return and the prorogation of Parliament. He had six months before him for continued agitation. The Session closed on the 28th of July, without a word in the King's Speech regarding Ireland.

The duke of Wellington, in the course of a debate in May, 1829, said, "It is now well known that during the whole of the last autumn and summer I had those measures in contemplation which have been since brought into effect. It is also well known that my principal object, and that to which all my efforts were directed, was to prevail upon the person in these kingdoms the most interested of all others, from his situation, in the settlement of the Catholic question, to give his consent to its being brought for-

* "Memoirs by Sir Robert Peel," vol. i. p. 147 (Lord Anglesey's expression).

† *Ibid.*, p. 116.

‡ *Ibid.*, p. 147.

ward.* In the autumn and summer of 1828 the duke had not only a difficulty with the king, but with the one of most importance amongst his colleagues. At the beginning of August the Premier and the Lord Chancellor had been in communication with the King. Mr. Peel was invited to participate in the proposed arrangement. He gave his deliberate opinion by letter to the duke of Wellington, that there was upon the whole less of evil in making a decided effort to settle the Catholic question than in leaving it, as it had been left, an open question. Mr. Peel, however, proposed to retire from the government, although he was willing to support it, but unwilling to undertake the management of this business in the House of Commons. Twenty years after, he says that this letter was written with a clear foresight of the penalties to which the course he resolved to take would expose him—"the rage of party, the alienation of private friends, the interruption of family affections." He would not condescend to notice other penalties, such as the loss of office and of royal favour, "if they were not the heaviest in the estimation of vulgar and low-minded men incapable of appreciating higher motives of public conduct.†

The efforts of the duke of Wellington to obtain the sanction of the king, that the whole subject of Ireland, including the Catholic question, should be taken into consideration by his confidential servants, were not successful during the remaining months of 1828. In his interviews with the duke his majesty manifested much uneasiness and irritation. Lord Eldon represents that the king told him, at an interview on the 28th of March, 1829, that his Ministers had threatened to resign if the measures were not proceeded in, and that he had said to them, "Go on," when an interview which had lasted several hours had brought him into such a state that he hardly knew what he was about.‡ Mr. Peel, very early in the course of these discussions, had expressed his opinion that whenever it was once determined that an attempt should be made by the Government to settle the Catholic question, the settlement should be, if possible, a complete one. Partial concessions would be of no use.§ On the 12th of January, 1829, the six Ministers who had voted uniformly against the Catholic claims, had each a separate interview with his Majesty, when he intimated his consent that the whole question of Ireland should be considered without his being pledged by such consent to adopt the views of his confidential servants, however unanimous they might be. On the 17th the duke of Wellington wrote to Mr. Peel,

* Hansard, vol. xxi. col. 1023.

† "Memoirs by Sir Robert Peel," vol. i. p. 188.

‡ Twiss, vol. iii. p. 13.

§ "Memoirs by Sir Robert Peel," vol. i. p. 189.

that he did not see the slightest chance, in consequence of what had passed in interviews with the king, and with certain of the bishops, of getting rid of these difficulties, if Mr. Peel should not continue in office. Mr. Peel yielded to this earnest solicitation. When the draft of the Speech from the Throne was submitted to the king, he gave a reluctant assent to the passage which implied an intention on the part of the Government to make a decisive effort to adjust the Catholic question. The Parliament was opened by commission on the 5th of February. The day before the meeting of Parliament Mr. Peel addressed a letter to the Vice-Chancellor of Oxford expressing his intention to vacate his seat for that University.

In the Speech from the Throne the existence of an Association in Ireland dangerous to the public peace, and inconsistent with the spirit of the Constitution, was pointed out, to ask for such powers as may enable his Majesty to maintain his just authority. "His Majesty recommends that, when this essential object shall have been accomplished, you should take into your deliberate consideration the whole condition of Ireland; and that you should review the laws which impose civil disabilities on his Majesty's Roman Catholic subjects. You will consider whether the removal of those disabilities can be effected consistently with the full and permanent security of our establishments in Church and State, with the maintenance of the Reformed Religion established by law, and of the rights and privileges of the bishops and of the clergy of this realm, and of the churches committed to their charge." In the house of Peers the duke of Wellington announced that the measure which it was the intention of the Government to propose for the adoption of Parliament, would extend to the removal generally of all civil disabilities under which the Roman Catholics laboured, with exceptions solely resting on special grounds. In the House of Commons Mr. Peel made a similar announcement. The great contest in Parliament was not to come on till Mr. Peel should be in his place to take his proper share in the discussions. He was persuaded to allow his name to be put in nomination for re-election at Oxford. His friends did not sufficiently estimate the power of a party cry. Sir Robert Inglis, his opponent, was finally returned by a majority of one hundred and forty-six votes. Lord Colchester records the termination of the election, adding, "Cheers for lord Eldon in Convocation, hisses for the King, hisses and groans for Peel." Nevertheless the value of these hisses and groans may be tested from the fact that Mr. Peel polled twice as many first class men as sir

Robert Inglis, and the "No-Popery" and "Church in Danger" cries were not universally successful, for he had three hundred and thirty-three clergymen amongst his supporters. Mr. Peel took his seat for Westbury on the 3rd of March. The Bill for suppressing the Catholic Association had passed during the Secretary's absence from Parliament. In that interval several thousand petitions were presented to Parliament,—the greater part against the proposed measures of concession. Lord Eldon was the most indefatigable in the enforcement of the prayer of these very exclusive productions, which echoed his own assertion on the first night of the Session, that if a Roman Catholic were ever admitted to form part of the Legislature, or to hold any of the great offices of state, from that moment the sun of Great Britain was set for ever. In the House of Commons Mr. Peel gave notice, on the 3rd of March, that on the 5th he would call attention to that part of the speech from the throne which referred to the civil disabilities of the Roman Catholics. On the evening of the 3rd the king commanded the duke of Wellington, lord Lyndhurst, and Mr. Peel, to attend him at Windsor on the following day. The audience lasted five hours. The king most tenaciously insisted that no alteration should be made of the ancient oath of supremacy. The ministers as firmly maintained that without this alteration the measure of relief would be unavailing. They left the royal closet in the assured belief that their official functions were at an end. "At the close of the interview the king took leave of us with great composure and great kindness, gave to each of us a salute on each cheek, and accepted our resignation of office, frequently expressing his sincere regret at the necessity which compelled us to retire from his service."* Before the king went to rest a great and sudden change had come over him. He wrote to the duke of Wellington to acquaint him that he anticipated so much difficulty in the attempt to form another administration that he could not dispense with the services of those whose resignations he had accepted, and that they were at liberty to proceed with the measures of which notice had been given in Parliament. †

On the 5th of March, from ten o'clock in the morning, all the avenues of the House of Commons were crowded by persons who hoped to gain admission to the gallery. The doors were not opened till six o'clock; for, according to a notice previously given, the House was called over. To put an end to all possible cavil on the part of the king, Mr. Peel had suggested to the duke of Wellington that a distinct authority should be given to them to say to

* "Memoirs by Sir Robert Peel," vol. i. p. 347. † *Ibid.*, p. 349.

Parliament that the measures in contemplation were proposed with the entire sanction of his Majesty. That authority having been received during the night, Mr. Peel commenced his speech in these words:—"I rise as a Minister of the King, and sustained by the just authority which belongs to that character, to vindicate the advice given to his Majesty by an united Cabinet." With regard to himself, he had for years attempted to maintain the exclusion of Roman Catholics from Parliament and the high offices of state. He did not think it was an unnatural or unreasonable struggle. He resigned it, in consequence of the conviction that it could no longer be advantageously maintained. As Mr. Peel proceeded to explain the proposed measure, in a speech of four hours, the cheers of the House were occasionally heard in Westminster Hall. The Bill would admit a Roman Catholic to Parliament upon taking an oath, in place of the old oath of supremacy, that he would support the existing institutions of the State, and not injure those of the Church. It would admit a Roman Catholic to all the greatest offices of government, with the exception of Regent, Lord Chancellor of England, and Lord Chancellor and Viceroy of Ireland. All corporate offices and municipal privileges, all that pertained to the administration of justice, would be open to Roman Catholics. From all offices connected with the Church, with its universities and schools, and from Church patronage, they would be necessarily excluded. Commands in the army and navy had been open to them before this measure. Connected with the Bill of Relief, there were securities and restrictions proposed; and by a separate bill the qualification for the freeholder's electoral franchise in Ireland was increased from forty shillings to ten pounds. It is unnecessary to trace the course of the debates in either House during the conflict, which lasted to the 10th of April, when the Relief Bill was read a third time in the House of Lords by a majority of a hundred and four. It had been passed in the House of Commons, on the 30th of March, by a majority of a hundred and seventy-eight. Amidst the passionate invectives, the taunts and sneers, of the opposers of the measure, there was one sentence in the speech of a great man who relied upon no oratorical power for enforcing conviction, which made more impression upon the mind and heart of the nation than the highest displays of argument or declamation. Thus spoke the duke of Wellington, on moving the second reading of the Bill on the 4th of April: "My lords, I am one of those who have probably passed a longer period of my life engaged in war than most men, and principally, I may say, in civil war; and I must say this,—that if I could avoid, by any sacrifice

whatever, even one month of civil war in the country to which I am attached, I would sacrifice my life in order to do it. I say that there is nothing which destroys property and prosperity, and demoralizes character, to the degree that civil war does; by it the hand of man is raised against his neighbour, against his brother, and against his father; the servant betrays his master, and the whole scene ends in confusion and devastation. Yet, my lords, this is the resource to which we must have looked—these are the means to which we must have applied, in order to have put an end to this state of things, if we had not made the option of bringing forward the measures, for which I hold myself responsible.”* The great Captain was assailed as virulently as Mr. Peel was assailed, by the most furious of those who assumed to be the only true supporters of Church and State. The earl of Winchelsea published a letter in which he insinuated that the duke had supported the establishment of King’s College, that he “might the more effectually, under the cloak of some outward show of zeal for the Protestant religion, carry on his insidious designs for the infringement of our liberties, and the introduction of Popery into every department of the State.” The duke demanded that the letter should be withdrawn; the earl refused to do so. On the 21st of March the two peers had a hostile meeting in Battersea fields. The duke of Wellington fired without effect; the earl of Winchelsea discharged his pistol in the air, and then tendered a written apology. In a letter to the duke of Buckingham a month after this transaction the duke of Wellington thus defended a conduct which he admitted must have “shocked many good men;”—“The truth is that the duel with lord Winchelsea was as much part of the Roman Catholic question, and it was as necessary to undertake it, and carry it out to the extremity to which I did carry it, as it was to do everything else which I did do to attain the object which I had in view. I was living here in an atmosphere of calumny. I could do nothing that was not misrepresented as having some bad purpose in view.” When lord Winchelsea published his letter the duke determined to act upon it. “The atmosphere of calumny in which I had been some time living cleared away. The system of calumny was discontinued.”† Mr. Peel had to endure calumnies even more galling than those which the duke of Wellington decided to resist by the course which a brave soldier, jealous upon the point of honour, was then almost compelled to take in deference to the false opinions of society. Twenty

* Hansard, vol. xxi. col. 45.

† Duke of Buckingham, “Court of George IV., vol. ii. p. 379.

years after this great political struggle sir Robert Peel wrote the following solemn appeal to protect his memory. “I can with truth affirm, as I do solemnly affirm in the presence of Almighty God, ‘to whom all hearts be open, all desires known, and from whom no secrets are hid,’ that in advising and promoting the measures of 1829 I was swayed by no fear except the fear of public calamity, and I acted throughout on a deep conviction that those measures were not only conducive to the general welfare, but that they had become imperatively necessary in order to avert from interests which had a special claim upon my support—the interests of the Church and of institutions connected with the Church—an imminent and increasing danger.”*

The Catholic Relief Bill received the royal assent on the 13th of April. Lord Eldon at two previous audiences of George IV. had urged him to refuse the royal assent. The king, who was a great actor, not only in the power of mimicry which he possessed but in exhibiting a well-feigned passion, deceived his ex-chancellor into the belief that his old master would peril everything, even his throne, by this obsolete exercise of the royal prerogative. Dangerous, almost infatuated, as was this advice of lord Eldon, we cannot doubt his sincerity; we cannot believe that any corrupt motive, or even any personal ambition, prompted his interference to avert what he believed would be a great political evil. He distrusted the Roman Catholics, not from a blind adherence to a worn-out bigotry, but from a reliance upon that unstatesmanlike caution which could not look beyond a dark Present into a brighter Future. Happily, he had to deal with a sovereign of different character than he who compelled Pitt—in the fear that he might drive the king into insanity—to lay aside the implied pledges of the Union, and thus to make the Legislature equivocate for thirty years with the just expectations of disappointed millions. A few childish lamentations, and there would be an end of the opposition of George the Fourth to the resolve of his Ministry. He would go to Hanover—he would return no more to England—let them get a Catholic king in Clarence—were his ejaculations at the interview of the 9th of April. On the 14th lord Eldon wrote to his daughter,—“The fatal Bill received the royal assent yesterday afternoon. After all I had heard in my visits not a day’s delay.”†

About a month after the passing of the Bill Mr. O’Connell was introduced to the House of Commons for the purpose of taking his seat for Clare. A petition against his return had been referred to a Committee, who declared that he was duly returned. Mr.

* “Memoirs by Sir Robert Peel,” vol. i. p. 365.

† Twiss, vol. iii. p. 87.

O'Connell had been elected before the passing of the new Act, and the Clerk of the House accordingly tendered to him the oath of supremacy which was required to be taken under the old law. This oath Mr. O'Connell refused to take, claiming to take the oath set forth in the Relief Act. He was the next day heard at the bar. His courtesy, his moderation, his legal knowledge, surprised the House, and called forth the approving voices of the great law officers who had opposed his claim at once to take his seat. Upon a division a new writ was ordered for Clare. A large subscription was entered into for securing Mr. O'Connell's second return, which took place on the 30th of July. His violence at that election was a painful and disgusting contrast to his assumed gentleness at the bar of the House of Commons. His unmeasured words almost induced a general apprehension that the great measure of Catholic Emancipation had been too readily yielded to that sense of an overwhelming necessity which had converted opposing statesmen into its responsible promoters. There was a higher principle than the expediency which changed the policy of Mr. Peel—a principle thus proclaimed out of the walls of Parliament, to assert the Christian obligation of passing this law:—"It is the direct duty of every Englishman to support the claims of the Roman Catholics of Ireland, even at the hazard of injuring the Protestant Establishment; because those claims cannot be rejected without great injustice; and it is a want of faith in God and an unholy zeal to think that he can be served by injustice, or to guard against contingent evil by committing certain sin."* This was a great truth, maintained in words not to be forgotten, by a bold thinker who did not fear evil tongues—one whose tolerant zeal for the Church establishment, which he ardently desired to uphold, could not shut his eyes to the exclusive pretensions of those who would have built its security upon a rotten foundation. It was a truth whose constant recognition would support every conscientious statesman through the perils with which Ireland would yet be surrounded; would neutralize the interested agitation for the Repeal of the Union which the chief Agitator would for years carry forward to the verge of rebellion; would produce the general conviction that the "great injustice" being effectually removed, a fair field would be left for the removal or amelioration of social evils; would convert even the terrible calamity of a famine into a final blessing; would "assert eternal Providence" in manifesting that a righteous act would at last have its reward, in rendering the once wronged Ire-

* Dr. Arnold, "Christian Duty of considering the Roman Catholic Claims."—Miscellaneous Works, p. 6.

land no more a terror to England, but the sharer of her liberty and her prosperity—a true sister, no longer to be alienated by just complaints, much less by demagogic violence and priestly stratagem.

The Parliament was prorogued on the 24th of June. The landowners when they returned to their country mansions did not find happy faces amidst either tenants or labourers. The summer and autumn were wet and cold; the harvest was protracted; the crops were ill got in, and were hurried to market. They were found to be of inferior quality, and prices suffered temporarily a great depression. Then came the severest winter since 1813-14. Parliament met on the 4th of February, 1830. The King's Speech lamented that notwithstanding the indication of active commerce afforded by increased exports, distress should prevail amongst the agricultural and manufacturing classes. One effectual mode of mitigating the pressure upon industrial capital was announced in the intention to propose a considerable reduction in the amount of public expenditure. The promise was realized. The Chancellor of the Exchequer proposed, on the 15th of March, the total remission of the excise duties on beer, cider, and leather. Increased duties on spirits were to supply a portion of the deficiency. The propositions of the government were finally agreed to. Motions for Reform of Parliament were brought forward, with the usual fate of every previous attempt to carry a sweeping or a partial measure. Again was it resolved that the seat which was vacant through the corruption of East Retford should not be transferred to Birmingham. Mr. O'Connell proposed to bring in a Bill to establish universal suffrage, triennial parliaments, and vote by ballot. Lord John Russell had a counter-proposition for additional representatives for populous counties and large unrepresented towns. The solution of this difficult problem seemed as far off as ever. It was helped forward by the imprudent conduct of a great peer who openly proclaimed what too many of the aristocracy felt in their hearts. A petition was presented to the House of Commons complaining of the interference of the duke of Newcastle in the elections for the borough of Newark, and praying that his power of ejecting tenants from the property which he held as lessee of Crown lands, should be prevented in future by the non-renewal of his lease. The government declared that it was not their intention to renew this lease: it was unnecessary, therefore, to grant a committee to inquire into this matter. The debate, however, disclosed a correspondence which roused a feeling of indignation throughout the land. A public meeting had been held at Newark to condemn

the proceedings of the nobleman who appeared to have held in small respect the well-known resolution of the House of Commons that it is a violation of the privileges of Parliament for Peers of the Realm to interfere in elections. The duke of Newcastle was invited to attend that meeting. He declined to attend, and asked the bold question, "May I not do what I will with mine own?" It was the argument of Shylock, when he demanded the pound of flesh, "'Tis mine, and I will have it." These words went forth to teach Englishmen that property had its duties as well as its rights, preparing the way for that quickly-coming change when the democratic element would assert its claim to be more respected—when the franchise would cease to be considered as a chattel which the great could call their own. One measure of great importance was proposed this session by Mr. Brougham, as a specific measure connected with his extensive views of Law Reform which he had developed in 1828. On the 29th of April, 1830, he moved for leave to bring in a Bill to establish Local Jurisdiction in certain districts in England. He showed that to recover small sums in the superior courts was a process involving delay and expense which prevented a creditor obtaining the satisfaction of his just demands. It was his hope that he might be eventually able to establish the system of local jurisdiction, from which he expected benefits unspeakably valuable to the country. That hope was long deferred. The County Courts, which were founded upon the recommendation of the Common Law Commissioners, arising out of Mr. Brougham's views in 1830, and upon their further enforcement when he became Lord Chancellor, were not established till queen Victoria had been eight years upon the throne.

On the 24th of May, a message was sent to both Houses of Parliament by the king, announcing his illness and stating the inconvenience of signing public instruments with his own hand. A Bill was introduced for the appointment of commissioners to affix the king's sign-manual by a stamp, in the king's presence, and by his immediate order given by word of mouth. The Bill received the Royal assent on the 29th of May. On the 26th of June, at three o'clock in the morning, king George the Fourth expired at Windsor Castle. It is difficult to look back upon the career of this prince, whose sovereignty either as Regent or King formed one of the most important eras in the annals of our country, without feeling how much his life had been one of great opportunities wasted and of natural powers perverted; how the circumstances by which he had been surrounded from his youth were almost wholly injurious to his character and his happiness.

The present generation,—in some degree by the force of contrast—have come to look very severely upon the faults of this erring brother. They were painfully visited upon him by the absence of all domestic happiness, by the feeling that he was not beloved or respected by the people he was appointed to rule over. The duke of Wellington has given a character of the monarch who held in dread the great captain's strong sense and inflexible resolution: "He was indeed," said the duke, "the most extraordinary compound of talent, wit, buffoonery, obstinacy, and good feeling—in short, a medley of the most opposite qualities, with a great preponderance of good—that I ever saw in any character in my life." *

* Raikes's "Diary," vol. i. 1. 92.