

were unfaithful to the interests of the people. This of course put an immense restraining power in their hands, since they could now make the ministers responsible, in great measure, for the king.¹

Next (1406), the Commons insisted on having an account rendered of the money spent by the king; and at times they even limited² their appropriations of money to particular purposes. Finally, in 1407, the Commons took the most decided step of all. They boldly demanded and obtained *the exclusive right of making all grants of money* required by the crown.³

In future the king — unless he violated the law — had to look to the Commons — that is, to the direct representation of the mass of the people — for his chief supplies. This made the will of the Commons more powerful than it had ever been.

14. Religious Legislation; Emancipation of the Villeins; Disfranchisement of County Electors. — While these reforms were taking place, two statutes had been enacted, — that of Provisors (1350)⁴ and of Præmunire (1353 and 1393),⁵ — limiting the power of the Pope over the English Church. On the other hand, the rise of the Lollards had caused a statute to be passed (1401) against heretics, and under it the first martyr had been burned in England. During this period the villeins had risen in insurrection (1381), and were gradually gaining their liberty. Thus a very large body of people who had been practically excluded from political rights now began to slowly acquire them.⁶ But, on the other hand, a statute was enacted (1430) which prohibited all persons having an income of less than forty shillings a year — or what would be equal to forty pounds at the present value of money — from voting for knights of the shire. The consequence was that the poorer and humbler classes in the country were no longer directly represented in the House of Commons.

15. Wars of the Roses; Decline of Parliament; Partial Revival of its Power under Elizabeth. — The Civil Wars of the Roses (1455–1485) gave a decided check to the further development of parliamentary power. Many noble families were ruined by the protracted struggle, and the new nobles created by the king were pledged to uphold the interests of the crown. Furthermore, numerous towns absorbed in their own local affairs ceased to elect members to the Commons. Thus, with a House of Lords on the side of royal authority, and with a House of Commons diminished in numbers and in influence, the decline of the independent attitude of Parliament was inevitable.

¹ But after 1450 the Commons ceased to exercise the right of impeachment until 1621, when they impeached Lord Bacon and others.

² The Commons dropped the right of appropriating money for specific objects, — except in a single instance under Henry VI., — and did not revive it until 1624.

³ This right the Commons never surrendered.

⁴ Provisors: this was a law forbidding the Pope to provide any person (by anticipation) with a position in the English Church until the death of the incumbent.

⁵ Præmunire: see Constitutional Documents, page 446. Practically, neither the law of Provisors nor of Præmunire was strictly enforced until Henry VIII.'s reign.

⁶ Villeins appear, however, to have had the right of voting for knights of the shire until the statute of 1430 disfranchised them.

The result of these changes was very marked. From the reign of Henry VI. to that of Elizabeth — a period of about two hundred years — “the voice of Parliament was rarely heard.” The Tudors practically set up a new or “personal monarchy,” in which their will rose above both Parliament and the constitution;¹ and Henry VII., instead of asking the Commons for money, extorted it in fines enforced by his Court of Star Chamber, or compelled his wealthy subjects to grant it to him in “benevolences”² — those “loving contributions,” as the king called them, “lovingly advanced.”

During this period England laid claim to a new continent, and Henry VIII., repudiating the authority of the Pope, declared himself the “supreme head” (1535) of the English Catholic Church. In the next reign (Edward VI.) the Catholic worship, which had existed in England for nearly a thousand years, was abolished (1540), and the Protestant faith became henceforth — except during Mary's short reign — the established religion of the kingdom. It was enforced by two Acts of Uniformity (1549, 1552). One effect of the overthrow of Catholicism was to change the character of the House of Lords, by reducing the number of spiritual lords from a majority to a minority, as they have ever since remained.³

At the beginning of Elizabeth's reign the Second Act of Supremacy (1559) shut out all Catholics from the House of Commons.⁴ Protestantism was fully and finally established as the state religion,⁵ embodied in the creed known as the Thirty-nine Articles (1563); and by the Third Act of Uniformity (1559) very severe measures were taken against all — whether Catholics or Puritans — who refused to conform to the Episcopal mode of worship. The High Commission Court was organized (1583) to try and punish heretics — whether Catholics or Puritans. The great number of paupers caused by the destruction of the monasteries under Henry VIII., and the gradual decay of relations of feudal service, caused the passage of the first Poor Law (1601), and so brought the government face to face with a problem which has never yet been satisfactorily settled; namely, what to do with habitual paupers and tramps.

The closing part of Elizabeth's reign marks the revival of parliamentary power. The House of Commons now had many Puritan members, and they did not hesitate to assert their right to advise the queen on all questions of national importance. Elizabeth sharply rebuked them for presuming to meddle with questions of religion, or for urging her either to take a husband or to name a successor to the throne; but even she did not venture to run directly counter to the will of the people. When the Commons demanded (1601) that she should put

¹ Theoretically Henry VII.'s power was restrained by certain checks (see page 181, Note 1); and even Henry VIII. generally ruled according to the letter of the law, however much he may have violated its spirit. It is noticeable, too, that it was under Henry VIII. (1541) that Parliament first formally claimed freedom of speech as one of its “undoubted privileges.”

² Benevolence: see pages 169, 182.

³ See page 224, Note 2.

⁴ See pages 211, 212.

⁵ By the Third Act of Uniformity and the establishment of the High Commission Court; see page 211. The First and Second Acts of Uniformity were enacted under Edward VI.

a stop to the pernicious practice of granting trading monopolies¹ to her favorites, she was obliged to yield her assent.

16. James I.; the "Divine Right of Kings"; Struggle with Parliament.—James began his reign by declaring that kings rule not by the will of the people, but by "divine right." "God makes the king," said he, "and the king makes the law." For this reason he demanded that his proclamations should have all the force of acts of Parliament. Furthermore, since he appointed the judges, he could generally get their decisions to support him; thus he made even the courts of justice serve as instruments of his will. In his arrogance he declared that neither Parliament nor the people had any right to discuss matters of state, whether foreign or domestic, since he was resolved to reserve such questions for the royal intellect to deal with. By his religious intolerance he maddened both Puritans and Catholics, and the Pilgrim Fathers fled from England to escape his tyranny.

But there was a limit set to his overbearing conceit. When he dictated to the Commons (1604) what persons should sit in that body, they indignantly refused to submit to any interference on his part, and their refusal was so emphatic that James never brought up the matter again.

The king, however, was so determined to shut out members whom he did not like that he attempted to gain his ends by having such persons seized on charge of debt and thrown into prison. The Commons, on the other hand, not only insisted that their ancient privilege of exemption from arrest in such cases should be respected, but they passed a special law (1604) to clinch the privilege.

Ten years later (1614) James, pressed for money, called a Parliament to get supplies. He had taken precautions to get a majority of members elected who would, he hoped, vote him what he wanted. But to his dismay the Commons declined to grant him a penny unless he would promise to cease imposing illegal duties on merchandise. The king angrily refused, and dissolved the Parliament.²

Finally, in order to show James that it would not be trifled with, a later Parliament (1621) revived the right of impeachment, which had not been resorted to since 1450.³ The Commons now charged Lord Chancellor Bacon, judge of the High Court of Chancery, and "keeper of the king's conscience," with accepting bribes. Bacon held the highest office in the gift of the crown, and the real object of the impeachment was to strike the king through the person of his chief official and supporter. Bacon confessed his crime, saying: "I was the justest judge that was in England these fifty years, but it was the justest censure in Parliament that was these two hundred years."

James tried his best to save his servile favorite, but it was useless, and Bacon was convicted, disgraced, and punished.

¹ Monopolies: see pages 214, 215.

² This Parliament was nicknamed the "Addled Parliament," because it did not enact a single law, though it most effectually "addled" the King's plans.

³ See Paragraph 13 of this Summary.

The Commons of the same Parliament petitioned the king against the alleged growth of the Catholic religion in the kingdom, and especially against the proposed marriage of the Prince of Wales to a Spanish Catholic princess. James ordered the Commons to let mysteries of state alone. They claimed liberty of speech. The king asserted that they had no liberties except such as the royal power saw fit to grant. Then the Commons drew up their famous Protest, in which they declared that their liberties were not derived from the king, but were "the ancient and undoubted birthright and inheritance of the people of England." In his rage James ordered the journal of the Commons to be brought to him, tore out the Protest with his own hand, and sent five of the members of the House to prison. This rash act made the Commons more determined than ever not to yield to arbitrary power. James died three years later, leaving his unfortunate son Charles to settle the angry controversy he had raised.

17. Charles I.; Forced Loans; the Petition of Right.—Charles I. came to the throne full of his father's lofty ideas of the Divine Right of Kings to govern as they pleased. In private life he was conscientious, but in his public policy he was a man "of dark and crooked ways."

He had married a French Catholic princess, and the Puritans, who were now very strong in the House of Commons, believed that the king secretly sympathized with the queen's religion. This was not the case; for Charles, after his peculiar fashion, was a sincere Protestant, though he favored the introduction into the English Church of some of the ceremonies peculiar to Catholic worship.

The Commons showed their distrust of the king by voting him the tax of tonnage and poundage¹ for a single year only, instead of for life, as had been their custom. The Lords refused to assent to such a limited grant,² and Charles deliberately collected the tax without the authority of Parliament. Failing, however, to get a sufficient supply in that way, the king forced men of property to grant him "benevolences," and to loan him large sums of money with no hope of its return. Those who dared to refuse were thrown into prison on some pretended charge, or had squads of brutal soldiers quartered in their houses.

When even these measures failed to supply his wants, Charles was forced to summon a Parliament, and ask for help. Instead of granting it, the Commons drew up the Petition of Right³ of 1628, as an indignant remonstrance, and as a safeguard against further acts of tyranny. This petition has been called "the Second Great Charter of the Liberties of England." It declared: 1, That no one should be compelled to pay any tax or to supply the king with money, except by order of act of Parliament; 2, that neither soldiers nor sailors should be quartered in private houses;⁴ 3, that no one should be imprisoned or punished contrary to law. Charles was forced by his need of money to assent to

¹ Tonnage and poundage: certain duties levied on wine and merchandise.

² See Taswell-Langmead (revised ed.), page 557, Note.

³ Petition of Right: see Constitutional Documents, page 417.

⁴ The King was also deprived of the power to press citizens into the army and navy.

this petition, which thus became a most important part of the English constitution. But the king did not keep his word. When Parliament next met (1629), it refused to grant money unless Charles would renew his pledge not to violate the law. The king made some concessions, but finally resolved to adjourn Parliament. Several members of the Commons held the Speaker in the chair, by force — thus preventing the adjournment of the House — until resolutions offered by Sir John Eliot were passed. These resolutions were aimed directly at the king. They declared: 1. That he is a traitor who attempts any change in the established religion of the kingdom; 2, who levies any tax not voted by Parliament; 3, or who voluntarily pays such a tax. Parliament then adjourned.

18. "Thorough"; Ship-Money; the Short Parliament. — The king swore that "the vipers" who opposed him should have their reward. Eliot was thrown into prison, and kept there till he died. Charles made up his mind that, with the help of Archbishop Laud in Church matters, and of Lord Strafford in affairs of state, he would rule without Parliaments. Strafford urged the king to adopt the policy of "Thorough";² in other words, to follow the bent of his own will without consulting the will of the nation. This, of course, practically meant the overthrow of parliamentary and constitutional government. Charles heartily approved of this plan for setting up what he called a "beneficent despotism" based on "Divine Right."

The king now resorted to various illegal means to obtain supplies. The last device he hit upon was that of raising ship-money. To do this, he levied a tax on all the counties of England. — inland as well as seaboard, — on the pretext that he purposed building a navy for the defence of the kingdom. John Hampden refused to pay the tax, but Charles's servile judges decided against him, when the case was brought into court.

Charles ruled without a Parliament for eleven years. He might, perhaps, have gone on in this way for as many more, had he not provoked the Scots to rebel by attempting to force a modified form of the English Prayer-Book on the Church of that country. The necessities of the war with the Scots compelled the king to call a Parliament. It declined to grant the king money to carry on the war unless he would give some satisfactory guarantee of governing according to the will of the people. Charles refused to do this, and after a three weeks' session he dissolved what was known as the "Short Parliament."

19. The "Long Parliament"; the Civil War. — But the war gave Charles no choice, and before the year was out he was obliged to call the famous "Long Parliament" of 1640.³ That body met, with

¹ The Puritans generally believed that the King wished to restore the Catholic religion as the established Church of England, but in this idea they were mistaken.

² "Thorough": Strafford wrote to Laud, "You may govern as you please. . . . I am confident that the King is able to carry any just and honorable action thorough [*i.e.* through or against] all imaginable opposition." Both Strafford and Laud used this word "thorough," in this sense, to designate their tyrannical policy.

³ The Long Parliament: it sat from 1640 to 1653, and was not finally dissolved until 1660.

the firm determination to restore the liberties of Englishmen or to perish in the attempt. 1. It impeached Strafford and Laud, and sent them to the scaffold as traitors.¹ 2. It swept away those instruments of royal oppression, the Court of Star Chamber and the High Commission Court.² 3. It expelled the bishops from the House of Lords. 4. It passed the Triennial Bill, compelling the king to summon a Parliament at least once in three years.³ 5. It also passed a law declaring that the king could not suspend or dissolve Parliament without its consent. 6. Last of all, the Commons drew up the Grand Remonstrance, enunciating at great length the grievances of the last sixteen years, and vehemently appealing to the people to support them in their attempts at reform. The Remonstrance was printed and distributed throughout England.⁴

About a month later (1642), the king, at the head of an armed force, undertook to seize Hampden, Pym, and three other of the most active members of the Commons on a charge of treason. The attempt failed. Soon afterward the Commons passed the Militia Bill, and thus took the command of the national militia and of the chief fortresses of the realm, "to hold," as they said, "for king and Parliament." The act was unconstitutional; but, after the attempted seizure of the five members, the Commons felt certain that if they left the command of the militia in the king's hands, they would simply sign their own death-warrant.

In resentment at this action, Charles now (1642) began the civil war. It resulted in the execution of the king, and in the temporary overthrow of the monarchy, the House of Lords, and the established Episcopal Church. In place of the monarchy, the party in power set up a short-lived Puritan Republic. This was followed by the Protectorate of Oliver Cromwell and that of his son Richard.

20. Charles II.; Abolition of Feudal Tenure; Establishment of a Standing Army. — In 1660 the people, weary of the Protectorate form of government, welcomed the return of Charles II. His coming marks the restoration of the monarchy, of the House of Lords, and of the National Episcopal Church.

A great change was now effected in the source of the king's revenue. Hitherto it had sprung largely from feudal dues. These had long been difficult to collect, because the feudal system had practically died out. The feudal land tenure with its dues was now abolished, — a reform, says Blackstone, greater even than that of Magna Carta, — and in their place a tax was levied for a fixed sum. This tax should in justice have fallen on the landowners, who profited by the change; but they managed to evade it, in great measure, and by getting it levied on beer

¹ Charles assured Strafford that Parliament should not touch "a hair of his head"; but to save himself the King signed the Bill of Attainder (see p. 446), which sent his ablest and most faithful servant to the block. Well might Strafford exclaim, "Put not your trust in princes."

² On the Court of Star Chamber and the High Commission Court, see pages 183, 211 (Note 1), and 224.

³ The Triennial Act was repealed in 1664, and re-enacted in 1694. In 1716 the Septennial Act increased the limit of three years to seven. This act is still in force.

⁴ The press soon became, for the first time, a most active agent of political agitation, both for and against the King. See page 244, Paragraph 495.

and some other liquors, they forced the working classes to shoulder the chief part of the burden, which they still continue to carry.

Parliament now restored the command of the militia to the king;¹ and, for the first time in English history, it also gave him the command of a standing army of 5000 men — thus, in one way, making him more powerful than ever before.

On the other hand, Parliament revived the practice of limiting its appropriations of money to specific purposes.² It furthermore began to require an exact account of how the king spent the money — a most embarrassing question for Charles to answer. Again, Parliament did not hesitate to impeach and remove the king's ministers whenever they forfeited the confidence of that body.³

The religious legislation of this period marks the strong reaction from Puritanism which had set in. 1. The Corporation Act (1661) excluded all persons who did not renounce the Puritan Covenant, and partake of the Sacrament according to the Church of England, from holding municipal or other corporate offices. 2. The Fourth Act of Uniformity⁴ required all clergymen to accept the Book of Common Prayer of (1662) the Church of England. The result of this law was that no less than 2000 Puritan ministers were driven from their pulpits in a single day. 3. A third act of Parliament followed⁵ which forbade the preaching or hearing of Puritan doctrines, under severe penalties. 4. A later act⁶ prohibited nonconforming clergymen from teaching, or from coming within five miles of any corporate town (except when travelling).

21. Origin of Cabinet Government; the Secret Treaty of Dover; the Test Act; the Habeas Corpus Act. — Charles made a great and most important change with respect to the Privy Council. Instead of consulting the entire council on matters of state, he established the custom of inviting a few only to meet with him in his cabinet or private room. This limited body of confidential advisers was called the Cabal or secret council.

Charles's great ambition was to increase his standing army, to rule independently of Parliament, and to get an abundance of money to spend on his extravagant pleasures and vices.

In order to accomplish these three ends he made a secret and shameful treaty with Louis XIV. of France (1670). Louis wished to crush the Dutch Protestant Republic of Holland, to get possession of Spain, and to secure, if possible, the ascendancy of Catholicism in England as well as throughout Europe. Charles, who was destitute of any religious principle, — or, in fact, of any sense of honor, — agreed to publicly declare himself a Catholic, to favor the propagation of that faith in England, and to make war on Holland in return for very liberal grants of money, and for the loan of 6000 French troops by Louis, to help him put down

¹ See Militia Bill, Paragraph 19 of this Summary. ² See Paragraph 13 of this Summary.

³ See Paragraph 13 of this Summary (Impeachment).

⁴ The first and second Acts of Uniformity date from Edward VI. (1549, 1552); the third from Elizabeth (1559).

⁵ The Conventicle Act (1664).

⁶ The Five Mile Act (1665). It excepted those clergymen who took the oath of non-resistance to the King, and who swore not to attempt to alter the constitution of Church or State. See Hallam.

any opposition in England. Two members of the Cabal were acquainted with the terms of this secret treaty of Dover.¹

Charles did not dare to openly avow himself a convert — or pretended convert — to the Catholic religion; but he issued a Declaration of Indulgence (1672) suspending the harsh and unjust statute against the English Catholics.

Parliament took the alarm and passed the Test Act (1673), by which all Catholics were shut out from holding any government office or position. This act broke up the Cabal, by compelling a Catholic nobleman, who was one of its leading members, to resign. Later, Parliament further showed its power by compelling the king to sign the Act of Habeas Corpus (1679), which put an end to his arbitrarily throwing men into prison, and keeping them there, in order to stop their free discussion of his plots against the constitution.²

But though the Cabal had been broken up, the principle of a limited private council survived, and, after the Revolution of 1688, it was revived, and took the name of the Cabinet. Under the leadership of the prime minister, who is its head, the Cabinet has become responsible for the policy of the sovereign.³ Should Parliament decidedly oppose that policy, the prime minister, with his cabinet, either resigns, and a new cabinet is chosen, or the minister appeals to the people for support, and a new parliamentary election is held, by which the nation decides the question. This method renders the old, and never desirable, remedy of the impeachment of the ministers of the sovereign no longer necessary. The prime minister — who answers for the acts of the sovereign and for his policy — is more directly responsible to the people than is the President of the United States.

22. The Pretended "Popish Plot"; Rise of the Whigs and the Tories; Revocation of Town Charters. — The pretended "Popish Plot" (1678) to kill the king, in order to place his brother James — a Catholic convert — on the throne, caused the rise of a strong movement (1680) to exclude James from the right of succession. The Exclusion Bill failed, but henceforward two prominent political parties appear in Parliament, — one, that of the Whigs or Liberals, bent on extending the power of the people; the other, that of the Tories or Conservatives, resolved to maintain the power of the crown.

Charles, of course, did all in his power to encourage the latter party. In order to strengthen their numbers in the Commons, he found pretexts for revoking the charters of many Whig towns. He then issued new charters to these towns, giving the power of election to the Tories.⁴ While engaged in this congenial work the king died, and his brother James came to the throne.

¹ Charles signed a second secret treaty of Dover in 1678.

² See Habeas Corpus Act in Constitutional Documents, p. 446.

³ The real efficiency of the Cabinet system of government was not fully developed until after the Reform Act of 1832 had widely extended the right of suffrage, and thus made the government more directly responsible to the people. See, too, page 309, Note 2.

⁴ The right of election in many towns was then confined to the town-officers or to a few influential inhabitants. This continued to be the case until the passage of the Reform Bill in 1832.

23. James II.; the Dispensing Power; Declaration of Indulgence; the Revolution of 1688.—James II. was a zealous Catholic, and therefore naturally desired to secure freedom of worship in England for people of his own faith. In his zeal he went too far, and the Pope expressed his disgust at the king's foolish rashness. By the exercise of the dispensing power¹ he suspended the Test Act and the Act of Uniformity, in order that Catholics might be relieved from the penalties imposed by these laws, and also for the purpose of giving them civil and military offices, from which the Test Act excluded them. James also established a new High Commission Court,² and made the infamous Judge Jeffreys the head of this despotic tribunal. This court had the supervision of all churches and institutions of education. Its main object was to further the spread of Catholicism, and to silence those clergymen who preached against that faith. The king appointed a Catholic president of Magdalen College, Oxford, and expelled from the college all who opposed the appointment. Later he issued two Declarations of Indulgence (1687, 1688), in which he proclaimed universal religious toleration. It was generally believed that under cover of these declarations the king intended to favor the ascendancy of Catholicism. Seven bishops, who petitioned for the privilege of declining to read the declarations from their pulpits, were imprisoned, but on their trial were acquitted by a jury in full sympathy with them.

These acts of the king, together with the fact that he had greatly increased the standing army, and had stationed it just outside of London, caused great alarm throughout England. The majority of the people of both parties believed that James was plotting 'to subvert and extirpate the Protestant religion and the laws and liberties of the kingdom.'³

Still, so long as the king remained childless, the nation was encouraged by the hope that James's daughter Mary might succeed him. She was known to be a decided Protestant, and she had married William, prince of Orange, the head of the Protestant Republic of Holland. But the birth of a son to James (1688) put an end to that hope. Immediately a number of leading Whigs and Tories⁴ united in sending an invitation to the prince of Orange to come over to England with an army to protect Parliament against the king backed by his standing army.

24. William and Mary; Declaration of Right; Results of the Revolution.—William came; James fled to France. A Convention Parliament⁵ drew up a Declaration of Right which declared that the

¹ This was the exercise of the right, claimed by the King as one of his prerogatives, of exempting individuals from the penalty of certain laws. The King also claimed the right of suspending entirely (as in the case of the Declaration of Indulgence) one or more statutes. Both these rights had been exercised, at times, from a very early date.

² New High Commission Court: see Note 2, on Paragraph 19 of this Summary.

³ See the language of the Bill of Rights (Constitutional Documents), page 445.

⁴ Seven in all; viz. the Earl of Derby, the Earl of Devonshire, the Earl of Shrewsbury, Lord Lumley, Bishop Compton (bishop of London), Admiral Edward Russell, and Henry Sydney.

⁵ Convention Parliament: it was so called because it was not regularly summoned by the King—he having fled the country.

king had abdicated, and which therefore offered the crown to William and Mary. They accepted. Thus by the bloodless Revolution of 1688 the English nation transferred the sovereignty to those who had no direct legal claim to it so long as James and his son were living. Hence by this act the people deliberately set aside hereditary succession, as a binding rule, and revived the primitive English custom of choosing such a sovereign as they deemed best. In this sense the uprising of 1688 was most emphatically a revolution. It made, as Green has said, an English monarch as much the creature of an act of Parliament as the pettiest tax-gatherer in his realm. But it was a still greater revolution in another way, since it gave a death-blow to the direct "personal monarchy," which began with the Tudors two hundred years before. It is true that in George III.'s reign we shall see that power temporarily revived, but we shall never hear anything more of that Divine Right of Kings, for which one Stuart "lost his head, and another, his crown." Henceforth the House of Commons will govern England, although, as we shall see, it will be nearly a hundred and fifty years before that House will be able to free itself from the control of either a few powerful families on the one hand, or that of the crown on the other.

25. Bill of Rights; the Commons by the Revenue and the Mutiny Act obtain Complete Control over the Purse and the Sword.—In order to make the constitutional rights of the people unmistakably clear, the Bill of Rights (1689)—an expansion of the Declaration of Right—was drawn up. The Bill of Rights¹ declared: (1) That there should be no suspension or change in the laws, and no taxation except by act of Parliament; (2) that there should be freedom of election to Parliament and freedom of speech in Parliament (both rights that the Stuarts had attempted to control); (3) that the sovereign should not keep a standing army, in time of peace, except by consent of Parliament; (4) that in future no Roman Catholic should sit on the English throne.²

This most important bill, having received the signature of William and Mary, became law. It constitutes the third great written charter or safeguard of English liberty. Taken in connection with Magna Carta and the Petition of Right, it forms, according to Lord Chatham, "the Bible of the English Constitution."

But Parliament had not yet finished the work of reform it had taken in hand. The executive strength of every government depends on its control of two powers,—the purse and the sword. Parliament had, as we have seen, got a tight grasp on the first, for the Commons, and the Commons alone, could levy taxes; but within certain very wide limits, the personal expenditure of the sovereign still practically remained unchecked. Parliament now (1689) took the decisive step of voting by the Revenue Act, (1) a specific sum for the maintenance of the crown, and (2) of voting this supply, not for the life of the sovereign, as had

¹ Bill of Rights: see Constitutional Documents, page 445.

² This last clause was reaffirmed by the Act of Settlement. See page 283, Note 2, and page 446.

been the custom, but for four years. A little later this supply was fixed for a single year only. This action gave to the Commons final and complete control of the purse.¹

Next, Parliament passed the Mutiny Act (1689),² which granted the king power to enforce martial law—in other words, to maintain a standing army—for one year at a time, and no longer save by renewal of the law. This act gave Parliament complete control of the sword, and thus finished the great work; for without the annual meeting and the annual vote of that body, an English sovereign would at the end of a twelvemonth stand penniless and helpless.

26. Reforms in the Courts; the Toleration Act; the Press made Free.—The same year (1689) Parliament effected great and sorely needed reforms in the administration of justice.³

Next, Parliament passed the Toleration Act (1689). This measure granted liberty of worship to all Protestant dissenters except those who denied the doctrine of the Trinity.⁴ The Toleration Act, however, did not abolish the Corporation Act or the Test Act,⁵ and it granted no religious freedom to Catholics.⁶ Still, the Toleration Act was a step forward, and it prepared the way for that absolute liberty of worship and of religious belief which now exists in England.

In finance, the reign of William and Mary was marked by the practical beginning of the permanent national debt and by the establishment of the Bank of England.⁷

Now, too (1695), the English press, for the first time in its history, became permanently free,⁸ though hampered by a very severe law of libel and by stamp duties.⁹ From this period the influence of newspapers continued to increase, until the final abolition of the stamp duty (1855) made it possible to issue penny and even half-penny papers at a profit. These cheap newspapers sprang at once into an immense circulation among all classes, and thus they became the power for good or evil, according to their character, which they are to-day. So that it would be no exaggeration to say that back of the power of Parliament now stands the greater power of the press.

27. The House of Commons no longer a Representative Body; the First Two Georges and their Ministers.—But now that the Revolution of 1688 had done its work, and transferred the power of the crown to the House of Commons, a new difficulty arose. That was the fact that the Commons did not represent the people, but stood simply as the representatives of a small number of rich Whig land-

¹ See page 363, Note 1.

² See page 282, Note 1.

³ See page 279 and Notes 4 and 5.

⁴ Freedom of worship was granted to Unitarians in 1812.

⁵ The Act of Indemnity of 1727 suspended the penalties of the Test and the Corporation Act; they were both repealed in 1828.

⁶ Later, very severe laws were enacted against the Catholics; and in the next reign (Anne's) the Act of Occasional Conformity and the Schism Act were directed against Protestant Dissenters.

⁷ On the National Debt and the Bank of England, see page 288.

⁸ See page 284.

⁹ Furthermore, the Corresponding Societies' Acts (1793, 1799) operated for a time as a decided check on the freedom of the press. See May's Constitutional History.

owners.¹ In many towns the right to vote was confined to the town-officers or to the well-to-do citizens. In other cases, towns which had dwindled in population to a very few inhabitants, continued to have the right to send two members to Parliament, while on the other hand large and flourishing cities had grown up which had no power to send even a single member. The result of this state of things was that the wealthy Whig families bought up the votes of electors, and so regularly controlled the elections.

Under the first two Georges, both of whom were foreigners, the ministers—especially Robert Walpole, who was the first real prime minister of England, and who held his place for twenty years (1722–1742)—naturally stood in the foreground. They understood the ins and outs of English politics, while the two German sovereigns, the first of whom never learned to speak English, neither knew nor cared anything about them. When men wanted favors or offices, they went to the ministers for them. This made men like Walpole so powerful that George II. said bitterly, "In this country the ministers are kings."

28. George III's Revival of "Personal Monarchy"; the "King's Friends."—George III. was born in England, and prided himself on being an Englishman. He came to the throne fully resolved, as Walpole said, "to make his power shine out," and to carry out his mother's constant injunction of, "George, be king!" To do this, he set himself to work to trample on the power of the ministers, to take the distribution of offices and honors out of their hands, and furthermore to break down the influence of the great Whig families in Parliament. He had no intention of reforming the House of Commons, or of securing the representation of the people in it; his purpose was to gain the control of the House, and use it for his own ends. In this he was thoroughly conscientious, according to his idea of right,—for he believed with all his heart in promoting the welfare of England,—only he thought that welfare depended on the will of the king much more than on that of the nation. His maxim was "everything for, but nothing by, the people." By liberal gifts of money,—he spent £25,000 in a single day (1762) in bribes,²—by gifts of offices and of honors to those who favored him, and by taking away offices, honors, and pensions from those who opposed him, George III. succeeded in his purpose. He raised up a body of men in Parliament, known by the significant name of the "King's Friends," who stood ready at all times to vote for his measures. In this way he actually revived "personal monarchy"³ for a time, and by using his "Friends" in the House of Commons and in the Lords as his tools, he made himself quite independent of the checks imposed by the constitution.

¹ The influence of the Whigs had secured the passage of the Act of Settlement which brought in the Georges; for this reason the Whigs had gained the chief political power.

² Pitt (Lord Chatham) was one of the few public men of that day who would neither give nor take a bribe; Walpole declared with entire truth that the great majority of politicians could be bought—it was only a question of price. The King appears to have economized in his living, in order to get more money to use as a corruption fund. See May's Constitutional History.

³ "Personal Monarchy": see Paragraph 15 of this Summary.