

COLLECTED WORKS OF JOHN STUART MILL

VOLUME XXIX

The Collected Edition of the Works of John Stuart Mill has been planned and is being directed by an editorial committee appointed from the Faculty of Arts and Science of the University of Toronto, and from the University of Toronto Press. The primary aim of the edition is to present fully collated texts of those works which exist in a number of versions, both printed and manuscript, and to provide accurate texts of works previously unpublished or which have become relatively inaccessible.

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Public and Parliamentary Speeches

by JOHN STUART MILL

* *

July 1869 – March 1873

Edited by

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“Miss Mill joins the ladies”
Judy, 25 November, 1868, pp. 46-7

· · · July 1869 to March 1873 · · ·

143. The Cobden Club

10 JULY, 1869

Daily News, 12 July, 1869, p. 2. Headed: "The Cobden Club." Reports (all in the third person) appeared in the *Morning Star*, the *Daily Telegraph*, and *The Times*. The annual dinner of the Cobden Club was held at 6 p.m. on Saturday in the Ship Hotel, Greenwich, with about 150 members and guests taken there by steamer from the House of Commons Stairs. George Douglas Campbell, Duke of Argyll, was in the Chair; Thomas Bayley Potter, Honorary Secretary of the Club, was Vice-Chair. Mill, "who was supposed to be in Paris, unexpectedly entered the room, and was loudly cheered." Argyll, in proposing the health of the Queen, made reference to despatches to India, and mentioned his friend Mill, "who knows so much more of India than I can pretend to do, and who has taken, as we all know, the fair sex under his chivalrous and eloquent protection (*laughter*)," and went on to mention the death of the Begum of Bhopal, calling her state "one of the best governed of all the native States"—*a comment that elicited* "'Hear,' from Mr. Mill." The other toasts to the Royal Family were followed by Argyll's proposing the toast of the evening, "the Prosperity and Welfare of the Cobden Club," to which G.C. Brodrick responded. Mill was then called on to toast "The Honorary Members and Guests," and rose to loud cheers.

WHEN I ENTERED THE ROOM I had no expectation of being selected, as the organ of this society, to propose the health of their distinguished honorary members and guests. Fortunately, it is the less necessary that I should say much on this topic, as your grace has already expressed the sentiments of this club with your accustomed skill and good taste. As to the gentlemen who are the subjects of my toast, it is quite superfluous that I should say much of them; for among those who desire and watch the progress of European opinion, where is it that Mr. Cobden is honoured and that M. Michel Chevalier¹ is not honoured? (*Cheers*.) In him we recognise the Cobden of France; but for him it is very unlikely Mr. Cobden would have succeeded as he did in producing the great results he achieved. M. Michel Chevalier, at times when there were but a few enlightened men among Frenchmen who saw the advantages of free trade, was exerting himself in every way in which a man could exert himself to promote it. He is still a grand pillar of the cause of free exchange in France, and it is not in that only he has rendered service to his country and Europe. To see this

¹Michel Chevalier (1806–79), who was present and later spoke, had been instrumental in securing the "Treaty of Commerce between France and Great Britain" (23 Jan., 1860) (in *The Consolidated Treaty Series*, ed. Clive Perry [Dobbs Ferry, N.Y.: Oceana Publications], Vol. 121, pp. 243–58).

one has only to watch his conduct as a member of the Senate, where he has entitled himself to the highest praise which it is possible for a member of a legislative assembly to deserve, for on more than one occasion he has not feared to stand up alone on behalf of great principles. He has often been the single solitary voter in a minority of himself. (*Cheers.*) The most remarkable occasion of that kind was in the cause so dear to our Cobden—the cause of peace. (*Cheers.*) This is the more meritorious because M. Michel Chevalier is well known to be a supporter of the present Imperial Government. As to M. Arlès-Dufour,² all who know anything of that distinguished man know that the influence he has long exercised upon commerce and manufactures in the city of Lyons, and thereby throughout France, has been exercised in the cause of free trade, in the cause of general peace and good will between nations, and I may say in every other good cause that has been at stake throughout his life. (*Cheers.*) I do not think I am exaggerating when I say this. We have here, too, many distinguished Americans. One of them, Mr. George Walker,³ is well known throughout the United States by the spirit and energy and enlightenment with which he has exerted himself, and by the reproach, and attack, and ill-will he has braved in the great cause of free trade, and, on behalf of that universal peace and good-will among nations, which is inseparably bound up with it; and I do say it is not possible that a nation that has, at an incredible expenditure of blood and treasure, put into effect this grand principle of economy by setting free its slaves—it is not possible in a nation in which educated intelligence goes down to the very lowest ranks—in which there is the freest and openest discussion of all great questions which come home to the understandings of every man, and, I may add, every woman throughout the community—(*laughter*)—it is, I say, impossible that this great nation should go on in the superstition of protection, and that it should not see that the interests of its citizens are sacrificed every day and every hour to the interests, or supposed interests, of a few. (*Cheers.*) It is impossible that the fallacies which our great Cobden energetically dispelled and drove out of the minds of the prejudiced among our own people should not also be driven out of the minds of the people of the United States. (*Cheers.*) It is impossible, now that the great question of negro labour is settled, but that the question of free trade will come into the foremost rank, and when it does become the question of the United States the time is not far distant when it will be impossible to sow dissension between them and Great Britain, when it will be impossible there should be any ill-will between the two nations, but when all differences will be cleared up by explanation and argument. (*Cheers.*) When that time comes we shall all recognise that the grand work of Cobden, and his great coadjutors in France, in Europe generally, and in the United States, is complete.

²François Barthélemy Arlès-Dufour (1797–1872), also present, who had been a Saint-Simonian ally and a friend of Cobden's, was another agent in the treaty of 1860.

³George Walker (1824–88) had written extensively on U.S. and international banking and currency questions.

Then, and not till then, will this club consider its work to be executed. "I consider that we owe a great debt of gratitude to the distinguished foreigners who have made the late Mr. Cobden's cause their own, and I, therefore, have great pleasure in proposing the toast entrusted to me." ^aThe toast is, "Our honorary members and American guests." (*Loud cheers.*)

[*Chevalier spoke next, in French, concluding with a toast to Cobden's memory; he was followed by Arlès-Dufour, and George Walker of Massachusetts, and then Potter proposed the Chair's health, and after Argyll responded, the company separated, most returning by the same steamer.*]

144. Women's Suffrage [1]

18 JULY, 1869

Report of a Meeting of the London National Society for Women's Suffrage, Held at the Gallery of the Architectural Society, in Conduit Street, Saturday, July 17th, 1869 (London: [National Society for Women's Suffrage,] 1869), pp. 7–14, 34. Reported on 19 July in the *Morning Star*, from which the responses are taken, and the *Daily Telegraph*. Collation indicates that Mill was following closely his untitled holograph manuscript (Mill-Taylor Collection), reproduced in full in Appendix D. The afternoon meeting, largely attended by both men and women, was, on Mill's motion, chaired by Clementia Taylor. In her opening remarks, she indicated that the Society's growth and success in the past two years had been in large measure the result of Mill's "fearless and eloquent advocacy"; she alluded to his amendment to the Reform Bill (see No. 55 above), and said "every woman in Great Britain" owed him "a deep debt of gratitude. (*Cheers.*)" The Secretary, Caroline Biggs, read a brief report, which was accepted. Mill then rose to loud and continued applause.

THE FIRST THING that presents itself for us men who have joined this Society—a Society instituted by ladies to procure the protection of the franchise for women—is to congratulate them on the success of this, their first effort in political organisation. The admission of women to the suffrage is now a practical question. What was, not very long ago, a mere protest in behalf of abstract right, has grown into a definite ^a"political" aim, seriously pursued by many thousands of active adherents. No sooner did a few ladies of talent and influence, fostered in those principles of justice, and believing in those elements of progress, which are now renewing the life of every country of the world—no sooner ^bdid a few of these ladies give the signal that the time was come to claim for women ^c"their" share in

^{a-a}+MS,TT [*in third person, past tense*]

^{a-a}Manuscript practical

^bManuscript , I say,

^{c-c}Manuscript a

those blessings of freedom, which are the passion and the glory of every noble nation, than there rallied round them unexpected thousands of women, eager to find expression for aspirations and wishes which we now learn that multitudes of our countrywomen have long cherished in silence. The thousands who have signed the petitions for women's suffrage, year after year, are evidence that I am not exaggerating when I say this. For my part, I have all my life held the opinion, that women have the same right to the suffrage as men; and it has been my good fortune to know many ladies very much fitter to exercise it than the majority of the men of my acquaintance. (*Laughter and cheers.*) I may say, too, to the credit of my own perspicacity, that I have long been of opinion that ^dmost of^d the disclaimers of all wish for political or any other equality with men, which, until quite lately, have been almost universal among women, are merely a form of that graceful and amiable way of making a virtue of necessity, which always distinguishes women. Nevertheless, I must acknowledge, I did not expect the amount of sympathy, ^enay^e of more than sympathy, of ardent and zealous support, which this movement has called forth among women, and men also, of all ^franks^f and all parties. We have had a success quite out of proportion to our apparent means, and which would be unaccountable, were it not for ^gsome potent^g allies that have been working for us.

First of these precious auxiliaries is the sense of justice. When not stifled by custom or prejudice, the natural feeling of justice is on our side. We are fighting against privilege on one side, disabilities and disqualifications on the other. We are protesting against arbitrary preferences; against making favourites of some, and shutting the door against others. We are claiming equal chances, equal opportunities, equal means of self-protection for both halves of mankind. The political suffrage, which men are everywhere demanding ^has the sole means by which their other rights can be secured to them, we, for the same reason, and in the name of the same principles, demand for women too. We take our stand, therefore, on natural justice; and to appeal to that, is to invoke a mighty power.

The other auxiliary which is working for us, with ever increasing force, is the progress of the age; what we may call the modern spirit. All the tendencies which are the boast of the time—all those which are the characteristic features and animating principles of modern improvement, are on our side. There is, first, the growing ascendancy of moral force over physical—of social influences over brute strength—of the idea of right over the law of might. Then there is the philanthropic spirit; that which seeks to raise the weak, the lowly, the oppressed. There is the democratic spirit; the disposition to extend political rights, and to deem any 'class'

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insufficiently 'protected' unless it has a voice in choosing the persons by whom the laws are made and administered. There is the free trade spirit; the desire to take off restrictions—to break down barriers—to ^kleave^k people free to make their own circumstances, instead of chaining them down by law or custom to circumstances made for them. Then there is the force of what, to the shame of past history, I am obliged to call the new conception of human improvement and happiness—that they do not consist in being passively ministered to, but in active self-development. And, over and above these specific practical forces, actively at work in society, we have with us one of the strongest and best modern characteristics—not pointing, as those do, to a particular line of outward action, but consisting in a general disposition of our own minds: the habit of estimating human beings by their intrinsic worth—by what they are, and by what they do: not by what they are born to, nor by the place in which accident or the law has classed them. Those who are fully penetrated with this spirit cannot help feeling rich and poor, women and men, to be equals before the State, as from the time of the Christian era they have been proclaimed equal in the sight of God. And this feeling is giving us powerful aid in our attempt to convert that Christian ideal into a human reality.

^lTo show how unequivocally and emphatically the spirit of the age is on our side, we need only think of the different social improvements which are in course of being attempted, or which the age has fully made up its mind to attempt. ^lThere is not one of those improvements which would not help the enfranchisement of women; and there is not one of them which the enfranchisement of women would not help. ^mNot one of them can be literally ^mrealised unless women, with their moral and intellectual capabilities properly developed, are associated in the work. From the moment when society takes upon itself the duties required of it by the present state of civilisation, it cannot do without the intelligent co-operation of women; and the pedantic nonsense now talked about the sphere of women, will appear thoroughly ridiculous when pleaded as an excuse for excluding women from the minor matters of politics, when their assistance cannot be dispensed with in the most arduous. (*Cheers.*)

Look at education, for example. That is almost the one great cry of the day. Statesmen, scholars, public writers, all join in it: great and small, rich and poor, Tories, Whigs, and Radicals, the higher, the middle, and the working classes, with one voice declare, that the country cannot get on without a good national education, descending to the very bottom of society, and (give me leave to add) ascending also to the top. The best people have said this for generations; but after the political changes recently made, and with the prospect we have of more, the

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^{l-l}Manuscript as P . . . only consider the various social . . . as P] MS,DT Every improvement that characterised the present age would be found tending in the same direction.

^{m-m}Manuscript There is not one of them which can be even tolerably

necessity has become evident to all. We say, then, to rich and poor, Tories, Whigs, and Radicals,—Are you going to educate a nation without women? Let alone the equal right of women to “their share of” the benefit; I ask—Can it be given to the rest of us without women’s direct help? When we set about really teaching the children of all “ranks of the people”—it will not be like the nominal teaching they mostly receive now—we shall need a vastly greater number of schoolmasters than we can afford to pay, if we reject the assistance of half, ^oor ^pmuch more than half, the available force. Women are the acknowledged best teachers of young children; and numbers of them are eager, both as professionals and as volunteers, to put their hand to the work. The only hindrance to their being equally capable instructors of more advanced pupils, is that they cannot teach what they have not been allowed to learn. (*Hear, hear.*) They will have to be taught all the more valuable branches of knowledge, if only that they may teach them to others. In the country where there is the widest diffusion of popular “education”, the Northern States of America, a large majority of the teachers are already women, and that not exclusively in the elementary schools; and they are found to be particularly efficient teachers of male pupils. Is it likely, then, that when women find themselves, side by side with the men of the present, teaching and training the men of the future, they will believe in any right of their pupils to political “supremacy” over them? (*Hear, hear.*) Will they feel themselves less worthy of a vote, think you, or less entitled to it, than the men who have been taught by them how to use their “vote”? And I should like to see the face of the man, so taught, who would stand up and refuse it to them. (*Cheers.*)

Let us turn next to the management of the poor: and by the poor I mean those in receipt of public relief—the pauper population. That formidable difficulty is weighing upon the spirits of all our thinkers, and of all conscientious public administrators; and the more they think, the more they seem to be overwhelmed with its arduousness. I venture to predict that this great national, and more than national, this human concern, will never be successfully treated until women take their share, perhaps the principal share, in the management of it. A wide experience has taught to thoughtful men that the right principle of a poor-law, is to give relief, except of a very temporary kind, to adults, nowhere but in public establishments—workhouses, and, for those who need them, hospitals. And this method has been tried: but the workhouses and the workhouse hospitals have been so execrably managed, the pillage has been so profligate, and the unhappy inmates so brutally neglected and ill-used, that the system has broken down, and public feeling shrinks from enforcing it. If this is ever remedied, it will be when pauper

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establishments are looked after by capable women. As mere visitors, it is to them we in great part owe the discovery of the enormities by which the public have been sickened, and which has escaped the watchfulness of men specially selected as fit to be inspectors of poorhouses. The fittest person to manage a workhouse is the person who best knows how to manage a house. The woman who has learnt to govern her own servants, will know how to do the same with workhouse servants. Few are the male guardians and inspectors sufficiently conversant with details, to be competent to check the dishonesty, to stimulate the zeal, or to overcome the indolence, of all the people concerned in administering to the wants of any large agglomeration of human beings. Every experienced traveller knows that there are few comfortable inns where there is no hostess. And the gigantic peculation of the commissariats of armies, as well as the dreadful sufferings of the wounded soldiers from the insufficiency of the medical and nursing staff, all bear testimony to the fact that men do not possess the heaven-born faculty they arrogate to themselves for doing well on a large scale what they disdain to serve an apprenticeship to doing on a small scale. If home is 'a woman's natural sphere' (and I am not at all called upon to "contradict" the assertion) those departments of politics which need the faculties that can only be acquired at home, are "a woman's natural sphere" too. But there are great spheres and little spheres; and some people want women to be always content with the little spheres. I don't.

In the same manner, in all that concerns the details of public expenditure: what superintendence and control would be equal to that of an experienced mother of a family, who knows, or has learnt to find out, what things ought to cost, and whose daily business it has been to discover and check malversation or waste in every department of a large household? Very few men have had much of this sort of practice; multitudes of women have had it. If we are to meet the demand of the age for a government at once cheap and efficient, which shall cost little, but shall give us all we ought to have for the money, the most vigilant and capable agents for making the money go as far as it can will generally be found among women. (*Applause.*)

One important public function, at least, has devolved on women from the commencement. Nursing the sick is a privilege which men have seldom denied to women. (*Laughter.*) The nursing of the sick in most public establishments is, from the necessity of the case, mainly carried on by women; and it is now understood that they ought to be educated women. No ignorant person can be a good nurse. A nurse requires to know enough of the laws of health and the treatment of disease, to be at least able to observe sanitary rules, and to understand the meaning of symptoms. But much more than this will be required when the prevention and cure of disease become a branch of public administration; and to this things are rapidly

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tending. There are many difficulties in dealing with the poor—many hindrances, both moral and economical, to our doing for them what most of us would like to do: but one thing the nation “is, I think, making” up its mind that it will not grudge them, and that is, the “care” of their health. In this one respect it is felt that our poor-law, instead of doing too much, does not do nearly enough. The medical staff of our unions is wretchedly underpaid, and nothing like so numerous as it ought to be. And how is it to be made efficient—how can the localities afford the expense necessary for providing a sufficient number of persons with the required qualifications, if we persist in shutting the door upon those women who claim from us medical education, to fit them for such duties as these? Until the medical profession is opened to women, there will never be an adequate supply of educated medical practitioners for any but the rich. And independently of regular practitioners, there are numbers of women who, from their domestic occupations, cannot give all their time, but would willingly give part of it, either as volunteers or at a small remuneration, for work which would be too costly if paid for at the value of the time of medical men in good private practice. But when women are entrusted with public functions like these, and educated for them, will they be content to be excluded from the common privileges of citizenship? and how long will it be possible to exclude them?

Society is feeling every day more and more, that the services of women are wanted for other uses than “to suckle fools and chronicle small beer.”¹ (*Laughter.*) Many are now saying that women should be better educated, in order that they may be able to educate men; and truly if they are to educate men, the education of a well-educated man can hardly be denied to them. (*Hear, hear.*) But these very moderate reformers fall into the mistake about women that was made about the working classes. People were willing to educate the working men, but expected them, after being educated, to content themselves with the same treatment which they had met with before. They would be quite happy, it was thought, when their improved faculties qualified them to be more useful servants, and would not think of claiming their share of mastership, or a voice in the choosing of masters. It has not so turned out with the working classes, neither will it so turn out with women. Those who are fit to train men for their work will think themselves fit to share in the work; or, at the lowest, in the choice of those who are to direct it. The higher education of women, and their political emancipation, are sure to go forward together. (*Applause.*)

We may safely affirm, then, that our cause has a powerful backing; since it has for its allies the great forces which are at work everywhere, striving to improve the world. Our success would greatly strengthen all these forces: and they, by their

¹Shakespeare, *Othello*, II, i, 160; in *The Riverside Shakespeare*, p. 1213.

*—“Manuscript appears to have fully made

^—“Manuscript use

increasing strength, help to accelerate our success; illustrating the truth, that improvements aid one another. All good causes are allied; whoever helps forward one ^ybeneficial^y object, proves in the end to have promoted many more. (*Hear, hear.*) In the assurance that it will be so with us, our business is to go on doing what, as a Society, we have hitherto done—to strive for the suffrage, and for the suffrage only. The suffrage, while it is the road to other progress, commits no one as to what other things progress consists of. Let us but gain the suffrage, and whatever is desirable for women ^zmust^z ultimately follow, without its being necessary at present to ^adecide^a, or indeed possible to foresee, all that ^bis^b desirable. The mere fact of claiming the suffrage ^cis giving an impulse. such as never has^c been given before, to all proposals for doing away with ^dinjustice to women. Since the suffrage has been claimed, a bill for allowing married women to be the owners of their own property, which had been laid on the shelf for ten years with other uninteresting trifles, has been reintroduced into Parliament with good prospect of success;² and the movement for the higher education of women is spreading in all directions, with a considerable diversity of means, insomuch that women have a chance of obtaining a really good education almost as soon as men. We of this Society shall best promote these important movements by taking no part in them as a Society, whatever any of us may think it ^eright^e to do as individuals; but pressing forward with all our efforts what virtually includes them all, the suffrage. With it, we shall in time obtain what is needed, whatever that may be; but till the suffrage is gained, we have obtained nothing that may not be resumed any day at the caprice of our rulers. In these days, the great practical distinction, the line of ^fseparation^f between those who can protect themselves and those who are at the mercy of others, is the political franchise. All who have rights to protect now look to that as the only effectual means of protecting them. (*Hear, hear.*) Even in America it was found that to abolish slavery was not enough; the negroes ^gcould not be^g really free until they had the suffrage. Representative assemblies, in the election of which they had no voice, inflicted or ^hpermitted^h treatment which

²In fact a similar Bill had been introduced in the previous session (see No. 99, where the Bill of 1857 is also referred to); the measure had been brought forward again as "A Bill to Amend the Law with Respect to the Property of Married Women," 32 Victoria (25 Feb., 1869), *PP*, 1868–69, III, 427–30, but was not enacted.

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would ' have brought them back to a servitude almost worse than their previous state. In a political age, such as the present is, 'let the laws in other respects be what they may,' women will never be of equal account with men, will never be felt to be entitled to equal consideration, so long as men have votes and women have not. The ^kgreat^k extension of the suffrage to others, so long as women are excluded from it, is a positive injury to them, since it is rapidly making them the only excluded class; the only persons whom the law either deems unworthy of a voice in choosing their rulers, or does not sufficiently care for to 'give' them that protection. The suffrage is the turning point of women's cause; ^mit alone will ensure them an equal hearing and fair play. With it^m, they cannot long be denied any just right, or excluded from any fair advantage: without it, their interests and feelings will always be a secondary consideration, and it will be thought of little consequence how much their sphere is circumscribed, or how many modes of using their faculties are denied to them. Let us, then, continue to concentrate our exertions on the suffrage; inviting all who wish for the "better" education of women, all who desire justice to them in respect of property and earnings, all who desire their admission to any profession or career now closed to them, to aid our enterprise, as the surest means of accelerating the particular improvement in which they feel a special interest. (*Loud cheers.*)

^oMr. Mill then moved the 1st Resolution:

"That this Society declares its strong conviction that it is in the highest degree unjust and impolitic to make sex the ground of exclusion from the exercise of political rights."

[*Charles Kingsley seconded the resolution, which was supported by Henry Fawcett and approved. Millicent Fawcett moved a resolution pledging the Society to work by all lawful means to obtain the franchise for women; in seconding, Houghton referred to a passage from Mill "to the effect that laws would never be improved unless there were numerous persons whose moral sentiments were better than the existing laws," and Morley, supporting the motion, mentioned that he had been converted to sexual equality by reading Mill's Dissertations and Discussions while at Oxford. After the resolution passed, a third was successfully moved, congratulating the society on the progress already made. The meeting concluded after a motion thanking the Chair, moved by Stansfeld, who was followed by Mill.*]

I beg to second the motion. It is quite unnecessary that I should make any remarks, or add anything to what has been said. I am sure the whole meeting feels

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ⁿ⁻ⁿManuscript higher

^{o-o}Manuscript

the grace, the dignity, as well as the business-like spirit in which the proceedings have been conducted by Mrs. Taylor, and all will join most heartily in voting thanks to her.^o

145. The Education Bill [1]

25 MARCH, 1870

Speech by John Stuart Mill, Esq., at the National Education League Meeting, at St. James's Hall, London, March 25, 1870 (Birmingham: printed Hudson, 1870). Collation indicates that Mill was following closely his holograph manuscript (Houghton Library, Harvard University, printed in full in Appendix D below), which is headed in his hand: "Speech at the meeting of the Education League at St James's Hall, March 25, 1870." Reported in full on 26 March in *The Times*, and in the *Daily Telegraph*. The *Daily News* has a summary in the third person. The audience's responses are taken from the *Daily Telegraph*. Writing on 28 February about the issue to Charles Dilke (who was President of the London branch of the National Education League, and was to chair the meeting at which Mill spoke), Mill says that if he were in Parliament he should oppose the Government's measure because of its denominational bias, adding: "Ever since I saw that the League was going to make a stand on this point I have been desirous of helping it by some expression of opinion, but I have not yet made up my mind how I can best do so. I rather dislike writing private letters to be published in the newspapers, of which there has been a great deal in my case already without my consent" (*CW*, Vol. XVII, p. 1703). The evening public meeting was held to support the objections of the National Education League to the Government's "Bill to Provide for Public Elementary Education in England and Wales," 33 Victoria (17 Feb., 1870), *PP*, 1870, I, 505-42 (enacted as 33 & 34 Victoria, c. 75). The objections were (1) that school boards were not provided for every part of the country, (2) that education was made compulsory in a partial and uncertain manner, and (3) that the bill extended the denominational system. After the Chair's introductory remarks, it was moved and seconded "That this meeting condemns the power given to school boards to found denominational schools at the public expense; and therefore receives with pleasure the assurances of Mr. Gladstone that this portion of the Bill shall be redrawn," and Mill was called upon, "to receive whom the entire audience rose cheering" (*Daily News*).

THE RESOLUTION which has been moved relates to a defect which, as the Bill was originally "drawn", was its greatest blot: and even after the great concessions—for they are great concessions—which we may now consider to have been made by the Government, enough of evil remains to demand a strong protest. Though there are many other things in the Bill that we wish altered, those other defects are chiefly of the nature of shortcomings: what is done we approve, but we wish that it were done more thoroughly: the difference between what the Bill gives and what we desire is the difference between good and better, but in the present case it is the

^o—Manuscript framed

difference between good and bad. (*Applause.*) The Bill does not simply halt and hang back in the path of good, it does positive evil; it introduces a new religious inequality.¹ Even the ^battenuations that are promised^b leave untouched a great part of the evil, for they leave the whole of its principle. Teachers are still to be employed and paid by the entire community to teach the religion of a part. True, this is now to be done out of school hours,² and I would by no means depreciate the value of this concession. I should be glad to forget as soon as possible what the Bill would have been without it. Though brought in by a Government which has ^cearned^c such high distinction as the destroyer of religious inequality in Ireland,³ a more effectual plan could scarcely have been devised by the strongest champion of ecclesiastical ascendancy for enabling the clergy of the Church of England to ^deducate the children of the greater part of England and Wales in their own religion at the expense^d of the public. Hitherto instruction has only been given to those who asked for it, but we are now going (at least we hope so) to teach every child; and the Bill gave up to the local bodies, which in the rural districts means the squire and the parson, all the neglected children—the children of all who care little about religion, of all who are dependent, of all who are under obligations for charitable offices, of all who are too timid to risk displeasing their superiors by sending in a solemn refusal in writing to do what they are wanted to do.⁴ (*Loud cheers.*) And because the Nonconformists would not stand this they were told (but I must do the Government the justice to say, not by them) that their motive could not be religious or political principle, but could only be ^eunworthy^e sectarian jealousy. By the promised concessions this blot is in great part—I wish I could even now say entirely—taken out of the Bill. But the principle remains of teaching the religion of a part with funds raised by taxation from the whole; and a measure infected by this bad principle cannot be satisfactory to any but persons of the dominant creed, nor to impartial persons of any creed. (*Cheers.*)

^fIt is true we may be told^f that the Dissenters can teach their own doctrines if they please and in the school-buildings too.⁵ They can, if, after deducting the

¹By Clauses 7 and 14, it allowed denominational instruction by teachers paid out of State funds.

²A suggestion made on 18 March by William Francis Cowper-Temple (1811–88), M.P. for Hampshire South (*PD*, 3rd ser., Vol. 200, col. 289) that religious instruction be given at the beginning or end of the school day was incorporated into a successful amendment; see Sect. 7 of 33 & 34 Victoria, c. 75. Gladstone, in his Speech on the Elementary Education Bill (18 Mar.), col. 301, indicated that concessions would be made.

³By 32 & 33 Victoria, c. 42 (1869).

⁴By Clause 7, the “conscience clause.”

⁵Gladstone, speech of 18 March, col. 302.

^{b-bTT}] P,DT alterations that are promised] Manuscript promised attenuations

^{c-c}]Manuscript gained

^{d-d}]DT dictate to the larger part of England and Wales their religion at the risk

^{e-e}]DT a mean

^{f-f}]DT It is true, we are told,] Manuscript We may be told, indeed,

school hours and the ^sextra hours set apart^s for Church teaching, sufficient time remains; but they must pay the whole expense and their share of the cost of the Church-teaching besides. (*Laughter.*) We may be told too that in places where the Dissenters are the strongest, it will be they and not the Church that will be enabled to teach their own doctrines at other people's expense.⁶ As if an injustice in one place were cured by an injustice in another. (*Cheers.*) But this permission to ^hbe unjust^h in their turn, wherever they are strong enough, the Dissenters are so extremely unreasonable as not to value. It is well known that they do not desire their distinctive doctrines to be taught in schools; and, indeed, there are probably few places in which any one denomination is sufficiently numerous to make this 'easily' practicable. The system deliberately chosen by the Dissenters is that of the British schools, where religious teaching is limited to reading the Bible without note or comment. Besides, we ^jknow that the practical strength of the Dissenters is in the large towns, or districts equivalent to towns; where they happen to be in a majority anywhere else, we see by the example of Wales how little it avails them. But in large towns, even where the Dissenters are the strongest, the Church party is sure to be strong enough to reduce them to a compromise, and make the Boards either subsidize existing Church schools, or, if they make use of the power the Bill gives them of founding others,⁷ to found a Church school by the side of every unsectarian one. So that the Church party will ^kprobably, in not^k a single instance, be in that position of victims, which it is supposed ought to be so great a consolation to the Dissenters for being victims in three-fourths of the Kingdom.

Another thing that is said is that what we complain of as a new grievance exists already: by the national grants in aid of denominational schools we are all of us taxed for teaching religions not our own.⁸ Well, perhaps there are some of us who might have a good deal to say against this too as a permanent institution, and who live in hope of its ultimate absorption into something of which they can more thoroughly approve. But we are not going now to begin this system; it exists. When it was first introduced nothing better could have been obtained; and it still does good, though we may learn—if we do not already know it—from Mr. Mundella's speech, how sadly the result falls short of the claims made for it.⁹

But we do not desire to destroy what we have got until we have replaced it by

⁶Adderley, Speech on the Elementary Education Bill (18 Mar., 1870), *PD*, 3rd ser., Vol. 200, cols. 227–36.

⁷By Clause 6.

⁸William Edward Forster, Speech on the Elementary Education Bill (14 Mar., 1870), *ibid.*, Vol. 199, col. 1946.

⁹Anthony John Mundella (1825–97), M.P. for Sheffield, Speech on the Elementary Education Bill (18 Mar., 1870), *ibid.*, Vol. 200, cols. 240–2.

^{s-s}DT hour set apart} Manuscript extra hours

^{h-h}Manuscript tyrannize

^{j-j}DT liberty} –Manuscript

^jManuscript all

^{k-k}Manuscript not probably, in

something better. The worst feature of the system, the bigotted refusal of 'aid' to secular schools, is to be abandoned; and the Bill provides that if the Boards, instead of founding new schools, elect to subsidize the old, they must subsidize all denominations impartially,¹⁰ secular schools, I hope, included. For this the framers of the Bill are entitled to our cordial thanks. But it is puzzling to find such opposite principles acted on in ^m different parts of the same Bill, and such different measure meted out to the old schools and to the new. It looks like the result of a compromise between two parties in the Government, on the plan of giving something to each: the sort of thing, in short, which makes our legislation the jumble of inconsistencies that it is. (*Loud cheers.*)

Some have the face to tell us that the ratepayer after all is not taxed for the religious instruction, for the rate is so limited by the Bill that he in reality only pays for the secular teaching. Indeed! Then who does pay for the religious teaching? Do the Church party intend to raise the money by voluntary subscription? *The Times* of last Monday throws out a suggestion of the kind:¹¹ if one could hope that it would be adopted I should not have another word to say; except indeed, that since, after Mr. Gladstone's concessions, the religious is no longer to be mixed up with the secular teaching, it may as well be given by a different person altogether, when the impartiality would be complete. But if the expense is not paid by subscription it must be paid by the Privy Council, that is by the taxpayer. And do not Dissenters pay taxes? Is there a conscience clause "against" the tax gatherer? (*Cheers.*)

One more thing is said which might well amaze any one who is not past being astonished at any of the tricks that are played with words. We are told that in our care for the conscience of the minority, we violate that of the majority who conscientiously disapprove of schools in which religion is not taught. Now, if what their conscience objects to is sending their own children to such schools, there is no compulsion; they are free to found schools of their own. It is necessary to say this, for the 'principal supporters of the Bill'¹² in the House of Commons did not seem to be aware of it; they seemed never to have heard of such an idea; they charged us with expelling religion from the schools, as if there were no schools to be had but those supported by rates; as if we were proposing to prohibit all schools except secular ones, or to throw some great obstacle in their way; while all we demand is, that those who make use of the religious teaching shall pay for it themselves instead of taxing others to do it. So that the conscientious scruple which we are

¹⁰By Clause 22.

¹¹Leading article on the Education Bill, *The Times*, 21 Mar., 1870, p. 9.

¹²In addition to Forster and Adderley, cited above, Alexander Beresford-Hope (1820-87), then M.P. for Cambridge University, Speech on the Elementary Education Bill (15 Mar., 1870), *PD*, 3rd ser., Vol. 199, cols. 2021-6.

^{l-l}Manuscript grants

^mManuscript two

ⁿ⁻ⁿDT, Manuscript] P, TT for

^{o-o}DT House of Commons] Manuscript principal speakers in support of the Bill

accused of violating is a scruple not against going without the religious instruction but against paying for it, and their conscience requires them to get it paid for by other people. (*Cheers.*) Is not ^pthis^p a singular spectacle of the richest and most powerful part of the nation, who with two thirds of their expenses sure to be paid by the Privy Council ^qor^q the School Rate, cannot bear to do what the smallest denomination of Dissenters cheerfully does—pay for their own religious teaching? But is not this precisely *because* they are the rich and powerful? ^rThe poor and the weak never^r dream of throwing their personal pecuniary obligations upon the public. It is a privilege only ^ssought^s by those who do not need it, but who think they have a right to it because they have always had the power to exact it. (*Cheers.*) ^tBut it seems^t some of these people have a conscience so extremely delicate that it is wounded, not ^u“if their own children, but if any other people’s children, attend schools in which religion is not taught“^u. The ^v‘bare’^v existence of a secular school within the country, at least with aid from the State, is a burden on their consciences, as the ^w“existence of heretics was on the conscience of the Grand Inquisitor. And we, because we decline to defer to this remarkable conscientious scruple, disregard the rights of conscience! But the rights of conscience do not extend to imposing our own conscience as a rule upon somebody else. I dare say we should be told, if it were anyone’s interest to affirm it, that we are no lovers of liberty because we do not permit kings to take the liberty of hanging or guillotining people at their pleasure. But the liberty we stand up for is the equal liberty of all, and not the greatest possible liberty of one, and slavery of all the rest. (*Cheers.*) There ought to be room in the world for more than one man’s liberty; and there ought to be room in the world for more than one ^x‘man’s’^x conscience. Let all parties have what religious teaching their conscience approves and they are willing to pay for. But when a man tells me his conscience requires that other people shall have religious teaching whether they like it or not, and shall have it in schools though they would prefer having it elsewhere, and shall not be helped like other people with their secular teaching unless they consent to accept religious teaching along with it, I tell him that he is not asserting his own freedom of conscience but trampling on that of other people. (*Cheers.*) If this is a right of conscience it was bigotry and prejudice to complain of the persecutions of the Vaudois and of the Protestants. The case is less flagrant but the principle is the same. (*Loud cheers.*)

[*After several speeches, the resolution was passed unanimously. Another*

^{p-p}Manuscript] P,DT,TT [*not in italics*]
^{q-q}Manuscript and
^{r-r}Manuscript It is not the poor and weak who
^{s-s}Manuscript claimed
^{t-t}Manuscript [*paragraph*] It appears however that
^{u-u}Manuscript as P . . . attend a school . . . as P] DT when their own opinions, but when other people’s opinions are taught in schools
^{v-v}DT very idea of the] Manuscript very
^{w-w}Manuscript very
^{x-x}+DT

resolution was moved against Clause 66, which gave school boards discretion over compulsory education, and in favour of guaranteed education for every child; it too was approved unanimously, and then it was moved that elected school boards be established in every district; this passed, a petition to Parliament embodying the resolutions was endorsed, and the meeting ended with the customary vote of thanks to the Chair.]

146. Women's Suffrage [2]

26 MARCH, 1870

Report of a Meeting of the London National Society for Women's Suffrage Held at the Hanover Square Rooms, on Saturday, March 26th, 1870 (London: London National Society for Women's Suffrage, 1870), pp. 4–9. Reported on 28 March, 1870, much abbreviated and in the third person, in the *Daily News*, the *Daily Telegraph*, and *The Times*; though the reports differ in length (apart from their coverage of Mill's speech), they are so similar in wording as to suggest a single source. The responses are taken from the newspaper accounts. For Mill's plans for the meeting, see *CW*, Vol. XVII, pp. 1697–8. 1701. At the well attended Saturday meeting Clementia Taylor took the Chair; her remarks were followed by Mill's. On rising, he was greeted with repeated cheers.

SINCE THE FIRST GENERAL MEETING of this Society in July of last year, we have had ample reason to be satisfied with the progress that has been made by our cause. That progress has manifested itself not only by the increased number of our friends, but, still more, by the altered tone of our opponents. During the year which has just elapsed, much has been written in various publications against the equality of the sexes, but it is remarkable how few of the writers have expressed any great disapprobation of that which is the direct object of this Society, the admission of women to the suffrage. Many of them have even said in express terms that to thus much of concession they, perhaps, might not object. A vote at elections is now, with many of them, a small thing, which they can afford to concede; if women wish for it, they may as well have it as not; but what shocks and scandalises them is, that a claim should be made for women to equality of rights in civil life, and especially in marriage. This is of good augury, and I begin to hope that I may live to see the whole discussion transferred to this point. Those of us who claim for women complete equality of rights have always said that this is a totally different question from the suffrage. The suffrage is a thing apart; no woman, by claiming it, is in the smallest degree committed to the larger demand; if women were, by an inherent and inevitable necessity, subject to the authority of men, they would need the protection of the suffrage all the more. Every plea, either of justice or policy, which speaks for granting the suffrage to any man, applies equally to women.

But there is a side of the question on which I should like to say something: the particular manner in which the addition of women to the electoral body is likely to affect the character of Parliament, and to modify the mode in which public affairs are carried on. I think that the most marked effect, in the immediate future, would be to infuse into the legislature a stronger determination to grapple with the great "physical and moral" evils of society. (*Hear, hear.*) Women electors, I think, will be more difficult to persuade than men that those evils must be accepted—cannot be cured, cannot even be much mitigated—and that we may, with an untroubled conscience, avert our eyes from them, with an occasional grumble at what they cost us in rates, taxes, and charities. Women, I think, will find it hard to believe that legislation and administration are powerless to make any impression on these frightful evils, and that the acme of statesmanlike wisdom is to let them alone. I should consequently expect, from the political influence of women, a considerable increase of activity in dealing with the causes of these evils. I know there are many men who regard any increased activity in that direction with alarm, thinking that it means inconsiderate benevolence, injudicious legal regulation, and general increase of meddling. But there is wise as well as unwise meddling; well-directed as well as ill-directed benevolence; and there is a tendency in the present day to confound the two. It is my conviction that, if the State employed all the means it possesses of raising the standard of morality, and even, in some respects, of physical well-being, in the community, it would find that it has much more in its power than it is now the fashion to believe; and that Governments in these days are quite as blameable in neglecting the right means of promoting those objects, as in days yet recent they were in pursuing the wrong. The time has passed away when Governments, speaking generally, were actively tyrannical; their favourite sins in the present time are indolence and indifference. Whatever scruples they have about doing ill, they have, in general, none at all about leaving ill alone, but allow mountains of mischief to be piled up from age to age, without any serious attempt to check the accumulation. (*Hear.*) There is something in the nature of government by men alone, which encourages this easy self-satisfaction. Men are more mentally indolent than women, and are far too ready to believe that they have done everything, or that there is nothing to be done. Their consciences and feelings need rousing, and the stronger active impulses of women are wanted to do it. If I am now asked whether, in my opinion, those active impulses can be depended on for prompting the most judicious line of conduct—whether women will discriminate well between good and bad modes of combating evils, and will not be apt to mistake the most direct mode for the most efficacious; I freely confess that the political education of women must be greatly improved, before as much as this can be affirmed with any confidence. But this would only be a real objection, if we were going to disfranchise the men, and turn over the whole power to women. All

^a—[DN,DT,TT] P practical

we want is, that the two should be obliged to take counsel together. We want the ship of the State to have both sail and ballast, and not, as is too often the case now when the navigation is troublesome, all ballast and no sail. (*Laughter.*) There is little danger that the over-zeal of women will not be quite sufficiently tempered by the over-caution of men. In these days we do not fail, in matters of government, for want of a curb, but of a spur; and women, even with the present defects of their education, are well qualified for that office. (*Laughter.*) As their education improves, they will do more; they will not only be a stimulus to others, but will themselves be capable of doing their full share of the work. Women, on the average, have more contriving minds than men; in things they are really interested in, they are readier in finding means for the attainment of an end; especially in undertakings the success of which greatly depends on the details of the execution. Now this is emphatically the case with attempts to correct the great physical and moral evils of society. These are works of detail. Men form great projects, sound in principle perhaps, and rational in their general conception, but which, when applied to practice, break down, from unforeseen failure of efficiency in the execution. Many more of these projects would succeed if women had a share in planning them.

These, I think, are the most marked effects on the general course of government and legislation, which would flow from the admission of women to a share in the functions of citizenship. To this we must add, that the wrongs and grievances which specially affect women would no longer be considered too unimportant to be worth any serious attempt to put an end to them. To take one example among many: if women had votes, there would be a much sterner repression of those outrages on women, which ^bmake the necessity working women are under of going out alone a serious danger to them^b; outrages which have only reached their present height through the inexcusable leniency with which they are treated by the courts of justice. (*Hear, hear.*) If women had had votes, we should not have had the "Contagious Diseases Acts";¹ under which the wives and daughters of the poor are exposed to insufferable indignities on the suspicion of a police-officer; and must be so, if the Acts are to be so enforced as to have any chance of being effectual for their object. If those Acts are repealed—if they are not extended to the whole country—it will be owing to the public spirit and courage of those ladies, some of them of distinguished eminence, who have associated themselves to obtain the repeal of the Acts;² a courage and public spirit which can only be duly appreciated

¹27 & 28 Victoria, c. 85 (1864), which was superseded by 29 Victoria, c. 35 (1866), and the Act that amended the latter, 32 & 33 Victoria, c. 96 (1869).

²The Ladies' National Association for the Repeal of the Contagious Diseases Acts was headed by Josephine Butler (1828–1906). Harriet Martineau (1802–76) was a vigorous contributor to the campaign, her articles in the *Daily News* leading at the end of 1869 to the formal Women's Protest signed by 2000 women published in the *Daily News*. Among the

^b—^bDN,DT,TT at present disgrace the country [DN,TT *in past tense*]

by those who have noticed the impudent and shameless character of some of the attacks which have been made on them in print by anonymous writers. To those worthier and more honourable opponents, who think these ladies mistaken, and the course they have adopted an unfavourable indication of the use they are likely to make of increased political influence, I would say—Suppose the Acts to be as beneficent as I hold them to be pernicious; suppose that the ladies who disapprove of them are not actuated by any reasonable view of their nature and consequences, but by an excess or a misapplication of the particular moral sentiment which men have inculcated on them as their especial and principal virtue. What then? Is it no evil that the laws of a country should be repugnant to the moral feelings of confessedly the most moral half of the population? If the repugnance is grounded on mistake, ought not time to have been given, and explanation and discussion used, to rectify the mistake; instead of leaving them to find out, years afterwards, that laws had been passed, almost in secret, revolting to their strongest feelings? That women's suffrage would put a check upon such proceedings as this; that it would compel legislators to take into account the moral feelings of those in whom such feelings are the strongest, and to carry those moral feelings with them, instead of contemptuously setting them aside—must be counted among the benefits that would result from the grant of the suffrage.

There are men—not a few—liberal and enlightened on general topics, whose own feelings would incline them to be just to women, but who dread the immediate effect of admitting them to the suffrage, because they think it would greatly increase the power of the clergy. I have never denied that if the suffrage were given them to-day or to-morrow, something like this might possibly, for a time, be the result. And, differing as I do in opinion and feeling on many important topics from the great majority of the clergy, I am not a likely person to undervalue this objection. But it is to me obvious that if the clergy have now too great an ascendancy over the minds of many women, especially in the middle class, it is because the other influences by which the human intelligence is acted on, and opinions formed, have not been allowed to reach them. They have had no encouragement to read the books, or take part in the conversations, which would have shown them that any of the opinions they hear from the clergy are disputed, and disputable. Even if there were no direct discouragement, they have not been so brought up as to take interest in such readings or conversations: while they have been trained in the belief that it is women's part to accept the opinions they find prevalent, and that the thoughtful consideration of great subjects, and the formation of well-considered opinions by hearing both sides, is none of their

signatories were Florence Nightingale, Mary Carpenter, Priscilla McLaren (sister of John and Jacob Bright), and their sister Margaret Lucas. The last was on the platform at this meeting, as were Ursula Bright (Jacob's wife), and Frances Bailey Martineau (married to Harriet Martineau's nephew, Russell).

business. How then is it possible that they should not fall under the influence of those who address them through the only feelings and principles they have been taught to cultivate? And consider another thing. What is it that makes clergymen in general, even where professional prejudices do not directly interfere, such unsafe advisers in politics and the affairs of life? It is because they are too much in the position of women; they are treated too much as women are: under a show of deference, they are shut out from the free and equal discussion of great practical questions, and are taught to think themselves concerned with only one aspect of any subject—the moral and religious aspect, in the narrow sense in which they use those terms; for, in a larger sense, all questions in which there is a right and a wrong are moral and religious. Is not this very like the condition of women? To those who dread the influence of the clergy on women's minds, I would say this: If the clergy have more of such influence than belongs to their character and to the degree of their cultivation, let us be just, and admit that they have fairly earned it. The clergy are the only persons who, as a class, have taken any pains with women's minds; the only persons who have appealed directly to their own principles and convictions; who have addressed them as if they had themselves a moral responsibility—as if their souls and consciences were their own. The clergy are the only men who have seemed to think it of any consequence what women think or feel, on any subject outside the domestic sphere. Those who show this respect to women, deserve to have influence with them: and will continue to have more than enough, until other men employ the same means of acquiring such influence which they have done. If the fathers, brothers, and husbands of these women took equal pains with their minds—if they invited them to interest themselves in the subjects in which the fathers, brothers, and husbands are interested, as the clergy do in those which interest *them*; and if they were taught, by the responsibility of a vote, that the formation of an intelligent opinion on public questions is as much their right and duty as it is the right and duty of men—they would soon find themselves more competent and better judges of those subjects than the clergy are; and there would be no danger whatever of their surrendering their own judgment into the hands of their clerical instructors. Whatever is excessive or hurtful in the clerical influence over them would be weakened, exactly in proportion as they took part in the affairs of life; and only that which is salutary would remain. Instead, then, of regarding the clerical influence as a hindrance to giving women votes, I look upon the vote as the most effectual means of emancipating them from the too exclusive influence of the clergy. But if this danger were far greater than it is, it would be an unworthy thing, on account of such an apprehension, to refuse to one half of the species that necessary means of self-protection, so highly prized by the other half. Every portion of mankind has its own special liabilities to error; and he who would refuse the suffrage to others because he is afraid of their making mistakes, would find good reasons for disfranchising everybody but himself. Safety does not lie in excluding some, but in

admitting all, that contrary errors and excesses may neutralise one another. And of all who ever claimed the suffrage, or for whom it was ever claimed, there are none in whose case there is so little reason for apprehending any evil consequences whatever from their obtaining it—none for whose continued exclusion the excuses are so insignificant, so fanciful, as in the case of women.

He concluded by moving the following resolution: “That this meeting is of opinion that the extension of the franchise to women will tend to promote among them a more cogent sense of their special duties as citizens, and of their general responsibilities as concerned with the advancement of the highest moral interest of the whole community.”^c

[*The motion (supported by Harriet Grote) was carried. A resolution (supported by Helen Taylor) expressing satisfaction at the introduction into the House of Commons by Jacob Bright and Charles Dilke of a bill for removing the electoral disqualifications of women³ was also passed. A final resolution, expressing the view that the general extension of the suffrage, while women were excluded, was a positive injury to them, was approved, and then a vote of thanks to the Chair brought to a close the meeting, “which throughout was of a very enthusiastic character” (Daily News).]*

147. The Education Bill [2]

4 APRIL, 1870

Sessional Proceedings of the National Association for the Promotion of Social Science, III (1869–70), 348–51 (fascicle for 7 April). Reported in a U.S. paper (not identified) from which there is a clipping in the Mill-Taylor Collection. The meeting was held under Edwin Chadwick’s Chairmanship to consider further his “On the New Education Bill,” *Sessional Proceedings*, III (10 Mar., 1870), 261–84.

MR. JOHN STUART MILL SAID Mr. Chadwick had done a great service by bringing before this Association the most important part of the whole education question: the quality of the education. Mr. Chadwick had the very great merit on this subject, as he had on many others, of being the first person to bring before the public many great principles of administration resting on the double evidence of theory and experience—experience in a sufficient sum, though it might be a limited sphere of trial. Many persons must have remarked, and perhaps blamed too severely, the little attention paid to the question of quality, in the discussions going on in and out

³“A Bill to Remove the Electoral Disabilities of Women,” 33 Victoria (16 Feb., 1870). *PP*, 1870, IV, 799 (not enacted).

^{c-c}+DN,DT,TT

of Parliament on Mr. Forster's Bill.¹ But it was not surprising that people should look first to asserting the simple and admitted principles which they fully understood; such as the principle of religious equality. Those principles must be secured against infringement, and all anxiety and strife concerning them must be at an end before people would give their minds to questions of detail; even in that meeting they had got back to the question of denominational teaching, which really could not be helped, and would continually recur until the question was settled. Mr. Chadwick, in his most valuable paper, had furnished one more argument, and a most important one, against denominational education; an argument which the League² had not used, but which he hoped they would use; grounded on the principle so strenuously enforced by Mr. Chadwick, that schools, to be either efficient or economical, must be large.³ A denominational school could not be a large school; at least it could not be so large as a comprehensive school, and the schools of denominations which were locally small must be small schools. Large schools were efficient and economical for several reasons. Suppose there were ten schools, each with fifty scholars and one master, and suppose they could get them together into a single school of 500 scholars. In the first place, the single school probably would not need so many as ten masters. But suppose that it did. In the ten schools every master must be competent to teach all the classes, and to teach everything. But in the single school of 500, only the head master need be able to teach the highest class, and persons of inferior qualifications, more easily and cheaply obtained, would suffice to teach the other classes. The third reason was the strongest of all, and had been admirably illustrated by the course pursued in America, as described by Mr. Zincke, that if they had a very large number—say 500—in a single school, they would be able to form as large classes as any one person could teach, composed of pupils, all of whom were nearly of the same degree of proficiency.⁴ Instead of every class being composed of some who were above the average, and some who were below, every class would be composed of children who were all about the same standard, and the same teaching would do for all. That would remedy the great defect of schools. Now, it was complained that the masters gave their chief time and attention to the quick and clever, and neglected the great mass. It was not unnatural that when the same teaching did not suit them all, the master should give most attention to those who would do him most credit, and the consequence was that in England and in most other countries

¹I.e., "A Bill to Provide for Public Elementary Education in England and Wales," 33 Victoria (17 Feb., 1870), which had been introduced by William Edward Forster as the Minister responsible for education, and was enacted in August 1870 as 33 & 34 Victoria, c. 75.

²The National Education League, which grew out of the Birmingham Education Society's efforts, beginning in 1868, to secure a national secular education.

³"On the New Education Bill," pp. 266-8.

⁴Foster Barham Zincke (1817-93), a Chaplain to the Queen, had spoken immediately before Mill (*Sessional Proceedings*, III, 346-7).

the majority of those who had gone through the nominal course of teaching went out knowing little or nothing. Would it be said of the future schools, as was said of the present by the Bishop of Manchester, that the teaching in one-third was tolerable, the teaching in another third was indifferent, and the teaching in the remaining third worthless?⁵ And this, not judging by any high standard, but by one so humble as to aspire to no more than teaching reading, writing, and arithmetic before the age of fourteen. The League, therefore, in protesting against denominational schools, were working for one of the most important of the great principles proclaimed by Mr. Chadwick. The League also agreed with Mr. Chadwick on another point; they objected to the local boards, and insisted that they should be larger and of different composition; and here they did not go far enough; they had still much to learn from Mr. Chadwick. But they were thoroughly right as far as they went. The school districts ought to be much larger, if only that it might be possible to have large schools. In rural districts they could not get together within a space over which children could go daily a sufficient number to make very large schools; but they could have them in much larger numbers than if they were cut up by the different denominations. They could also have much larger schools if, in the first place, boys and girls were taught together; and, in the next place, the poor and those who were not poor received instruction together. Why should not the middle class and the poorer class receive that part of their education which was to be the same together, and from the same teachers? Rich children did not require a different reading and writing from poor children, or a different mode of learning it. The mode which was good for one was good for the other. The only difference was that the better-off parents could afford to keep their children longer at school, to learn additional things. And if those additional things were taught in the same place, the more ambitious and aspiring children of the poor would be fired with a desire to go further and learn that which the daughters and sons of the middle class attained to; and thus the result referred to by a former speaker⁶ of a child rising from the most elementary even to the highest grade of instruction would be frequently attained, especially if the aid were realised which might be given by means of exhibitions. The school board districts, however, would require to be larger than the district of a single school. If the boards were parochial, there would, in the rural districts, be here and there a school of great excellence (as far, at least, as was compatible with its necessarily small size), where there chanced to be an enlightened and patriotic clergyman or an enlightened and patriotic landowner; but, in the greater part of the country, the schools would be little better than nothing. The district of each school board ought to be large enough to give a

⁵In "On the New Education Bill," p. 262, Chadwick cites (giving as his source a private letter) this comment by James Fraser (1818–85), who became Bishop of Manchester in 1870, and had formerly served on the Royal Commission on Education in 1858–59, and reported on the schools of Canada and the U.S.A. in 1866 (*PP*, 1867, XXVI, 293–435).

⁶Edwin Pears (1835–1919), *Sessional Proceedings*, III, 345.

reasonable chance, that in every board there would be at least one person who knew what good education was, and who cared about it. But suppose this done: let the district, however, be ever so wide, they could not trust the education of the poor to local boards. Take the rural districts. They might almost as well do nothing for the education of the poor agricultural labourer as leave it to the farmers to determine what the education should be. And even in the towns, would they leave the regulation of education to vestries? What did they think of the St. Pancras Vestry?⁷ Would anybody think of leaving anything which had to be done for the good of the poor to such a board as that? And yet they could count up very easily all the towns in Great Britain and Ireland that were larger, more wealthy, and more populous than the parish of St. Pancras. It was a great town in itself, and it contained surely a sufficient number of the best elements to give it a right to the best local government; it had its full share of well-instructed people—people who had access to all the means of instruction, to all the sources of political excitement and discussion, and there was the result. Again, look at the boards of guardians. A Poor Law union is fully as large a district as the school board districts are likely to be. The boards of guardians had full control over a most important part of the education of the country. They had the education of all the pauper children. How had they fulfilled this office? If the boards of guardians had done their duty, we should not at this time have had an education question. If they had done their duty, or if the duty had been taken out of their hands and assumed by the State, as Mr. Chadwick, thirty-five years ago, proposed; if Parliament had not struck out the clauses which Mr. Chadwick and his enlightened colleagues of the first Poor Law Commission inserted in their Bill,⁸ we should by this time have been at the end instead of at the beginning of the work. Does any one think that if the pauper children had been properly educated, all other children would not have been found to be educated too? Would they have been content to be thrown out of all the skilled employments, and those which required intelligence and education, by the children of the paupers? For thirty-five years have the boards of guardians had this charge upon them: much more than a generation. And after thirty-five years, Mr. Chadwick is still here, continuing to press upon unwilling ears the great duties

⁷The Vestry of St. Pancras had become notorious for financial scandals, bad management (especially in the over-crowded workhouse), inadequate sanitation, and turbulent meetings.

⁸Given Mill's close relations with Chadwick (who was in the Chair at this meeting) and his sustained interest in the Poor Law reform of 1834, it is odd that he appears to be mistaken here. There were no explicit provisions for education in the Poor Law Report, Chadwick did not draw up the Bill, and the debate on it in Parliament does not indicate that any clauses dealing with education were struck out. A Cabinet committee went over the Bill with the Commissioners, but their revisions seem not to have touched on education. Possibly Mill had in mind not the Poor Law but the Factory legislation of 1833: Chadwick was instrumental in drawing up the Bill (4 William IV [1 Aug., 1833], *PP*, II, 281–96), which contained education clauses modified in the Act (3 & 4 William IV, c. 103 [1833]).

which, during all that time, have been disregarded. So much for the rural districts. But perhaps the towns, perhaps the municipal bodies would do better. Well, and what have they done? A valuable Act of Parliament had given them the power to establish free libraries.⁹ How many of them have done it? A few have done so, and a most valuable institution those libraries have proved. But the great majority have not done it—have even rejected it when proposed to them. Yet this is an indispensable part of national education. Education is something more than to read, write, and cast accounts. He would not disparage the benefit, in developing the intelligence, of even the mere fact of learning to write and calculate. But if they wanted the “poor to make real use of what they were taught at school;” if they wanted them not to forget it, and lose the very power of reading, they must have books to read, and good books too, and a wish to read them. There will never be a real national education until there is a public library in every school district, not necessarily free, but open at a subscription not higher than every poor family in average employment could afford to pay. It would not do, then, to trust the management of education to local bodies, however constituted. There must be an authority above all these to take the initiative. Different people had very different ideas of popular government; they thought that it meant that public men should fling down all the great subjects among the people, let every one who liked have his word about them, and trust that out of the chaos there would form itself something called public opinion, which they would have nothing to do but to carry into effect. That was not his idea of popular government, and he did not believe that popular government thus understood and carried on would come to good. His idea of popular government was, a government in which statesmen, and thinking and instructed people generally pressed forward with their best thoughts and plans, and strove with all their might to impress them on the popular mind. What constituted the government a free and popular one was, not that the initiative was left to the general mass, but that statesmen and thinkers were obliged to carry the mind and will of the mass along with them; they could not impose these ideas by compulsion as despots could. Centralisation and decentralisation were words which had been much abused: what was wanted was the union of both: one authority, which should be a centre of information and of the best ideas to be found in the country, and many popular bodies to whom those ideas should be offered for their assent. A Minister of Education was good. It was good that there should be such a Minister, but it was not good that this Minister should be one to change with every Administration. But whether there was a Minister of Education or not, there ought to be a permanent board composed of people selected for their zeal for education and the amount of intelligent study they had given to the subject. If they had such a board, with emissaries of all kinds, inspectors and assistant commissioners going about the country promoting the best ideas and the best

⁹13 & 14 Victoria, c. 65 (1850).

methods of education, they would have a chance of attaining to something really national in the way of education.

[*There were further comments, and the meeting concluded.*]

148. Election to School Boards [1]

22 OCTOBER, 1870

Beehive, 29 October, 1870, p. 580. Headed: "The Cumulative Vote and the London School Board." Brief summary reports appeared on 24 October in the *Pall Mall Gazette*, the *Daily News*, and *The Times*. Writing to Edwin Chadwick on 29 October, 1870, Mill refers to "the general indifference to considerations of special qualification" for service on school boards, adding that the leaders of "the working classes do not seem to share this indifference: it was much complained of at a meeting of the Representative Reform Association last Saturday in which Odger, Mottershead, and Lloyd Jones took an active part; and the response was general to what I and others said of the bad *quality* of the instruction" (*CW*, Vol. XVII, p. 1770). The Saturday meeting of the Representative Reform Association was held in its rooms, 9 Buckingham Street, Strand, with Thomas Hare presiding. Hare opened the proceedings by outlining the conditions of the cumulative vote, which was to be used for the first time in the school board elections. He was followed by Mill.

MR. J. S. MILL SAID THAT it was of very great importance that the ratepayers should exercise their best judgment in the selection they make of persons to constitute the new board of education. They should be particularly careful in putting on the board persons who had made the question of education their study, and who were well qualified in other necessary respects. Of course, those who were denominationalists and undenominationalists would most probably vote for candidates whom they might find to be of their own respective ways of thinking and believing, and this division of feeling could not, perhaps, be avoided. He did not want denominationalists to give up any of their peculiar desires, and he was equally willing to allow undenominationalists to take care of their interests as far as they can fairly do so. All he had to say on this point was that persons who were opposed to each other through religious motives ran into the danger of overlooking the most important part of the question so far as it affected the great body of the people—that is, the bringing within the reach of all classes and all communities alike, not alone the means of education such as we had had it up to the present, but the acquisition of an education of a greatly improved character. Education was really a subject which required a large amount of practical knowledge and experience, and it was of the first importance that there should be on those school boards men who had given their minds for some length of time to the study of the question. At the meetings lately held this had not been sufficiently attended to. (*Hear, hear.*) A good deal had been said in Parliament from time to time on the question of education; but he

regretted to find that the quantity of education seemed to have been attended to more on those occasions than the quality (*hear, hear*). See what the Bishop of Manchester had said of the education we had in this country. The right reverend prelate said that of the education provided for the people of England, one-third of it was tolerably good, another one-third was passable, and the remaining one-third was as bad as no education at all.¹ When such a man as the Bishop of Manchester made in public such an assertion as this of the education now given—and made it with, unfortunately, such good foundation—it behoved all who had an earnest desire to have the people of England properly educated, to see that the new School Board be composed of men who would be willing and able and determined to turn the Education Act of last session² to the best possible account. In fact the question the electors had to decide was whether they would have a School Board which would improve the quality of the education hitherto given as well as provide all possible facilities for bringing that improved education within the reach of all (*hear, hear*). That was what had to be done. If any class of persons wished to elect a representative on account of that representative being of their way of religion and political thinking, let them by all means do so, but let them take care that that representative possessed also the all-important qualification of a matured knowledge of the particular question he should have to legislate upon. Provided the representatives were otherwise fitted, he thought it would be a wholesome and a useful thing to have the board composed of men of different “religious” and political opinions. To accomplish to the full the great end for which the Education Act of last session was drawn up, the electors must bear these facts and probabilities in mind during the coming elections. It was well that an association like that which called the present meeting together should inform the public respecting the cumulative vote.³ He hoped the electors would make themselves thoroughly acquainted with its peculiarities, and take advantage of the power which it gave them to the fullest extent. It was not more schools which were required so much as good schools (*hear, hear*).

^b[*In the discussion,*] *Lloyd Jones said that some districts had been arranging for the election by dividing the candidates among the different sects. He did not complain of the proportions, but he thought this was the wrong way to go to work, for instead of being a battle of the citizens, the election would be a battle of the sects.*]

Mr. Mill said that it was of importance that no one class should have preponderance in the Board, and it was rather a good thing that there should be several classes upon it.^b

¹See No. 147, n5, for the background to this reference.

²33 & 34 Victoria, c. 75 (1870).

³Provided for *ibid.*, Schedule 2, Sect. 20.

^a-PMG] B regions [*printer's error?*]

^b-b+TT

[A resolution was accepted unanimously that the Association should as soon as possible after the elections ascertain how much the cumulative vote had been used, and the "amount of electoral power that had been wasted through various unavoidable circumstances." It was then moved that the Chair communicate with Forster to urge the fullest investigation of the working of the elections to the school board; Mill seconded, and another unanimous vote ensued. The meeting concluded with a vote of thanks to the Chair.]

149. Election to School Boards [2]

9 NOVEMBER, 1870

The Times, 10 November, 1870, p. 4. Headed: "The Education Act" (the article begins with a general account of candidates and meetings). A full report of Mill's speech also appeared in the *Daily Telegraph* (again in the first person), and brief third-person accounts were published in the *Pall Mall Gazette* and the *Beehive* (12 Nov.); the *Daily News* had an even briefer report. The evening meeting, attended by over 1000 of the ratepayers of Greenwich, Deptford, and the surrounding area, was held in the Literary Institution, Mill presiding, to consider the proper qualifications for members of the London School Board, and to hear the candidates' views. The four candidates supported by the Church of England each wrote a letter declining to attend. Mill, on rising, was loudly cheered.

THIS MEETING, as you know, has been called to consider the qualifications which should be required in candidates for the School Board. Those who have called us together, and at whose request I have consented to take the chair, think it desirable that before we commit ourselves to the support of particular candidates we should confer together concerning the principles that should direct our choice. For it is to be feared that while we are contending very properly each for his own opinion on a single point—the question of religious teaching in rate-appointed schools—we may lose sight of other points quite as important, and perhaps confide the charge of the education of London to persons who care very much for its being sectarian or unsectarian, but who, when they have taken care of that, think that they have done everything. This would be a sad failure. We all, I suppose, have our opinions as to whether education paid for by rates should be denominational or should be in some way or other religious without being denominational, or should be purely secular, leaving religious teaching to the religious bodies. But whatever importance we justly attach to these differences of opinion, it is even more important that our representatives should have other qualifications than the opinion they profess on this point—that they should be persons who really desire and really understand education. (*Cheers.*) We have got to determine, therefore, each for himself, by what criterion we are to judge who are they who desire education most and

understand it best. And we have not only to consider what kind of persons are fit to be intrusted with the control of education, but also what kind of persons are not fit. There is one proof of unfitness so decisive that it deprives a candidate of any claim to our support. I would refuse my vote to any one, let him be who he may, who is afraid lest the poor should be too much educated, who thinks they are in danger of knowing more than is necessary for them, or more than is suitable to their condition in life. In education there is no such thing as "too much." (*Loud cheers.*) Every kind of knowledge is useful. Of course we ought to begin with the most useful. But the most useful is that which most opens their minds, and accustoms them to the use of their understandings. There are some who think that, for working people, the only instruction needed is technical instruction—teaching them the use of their hands. But the hands never work to the best effect unless the brain works too. Looking at the benefits of mental cultivation on their humblest side, the workman whose mind is trained as well as his hands is sure to be the most capable at his work. What is more, he is most capable of turning to other work if his accustomed occupation fails him. When another man goes upon the poor-rate he can maintain his independence. Intelligent Americans say that one of the reasons why there is so little pauperism in the United States is that the American workman, being educated, can turn his hand to anything. I would not vote for any one who thinks that nothing should be taught but reading, writing, and arithmetic. Of what use is it to any one to have been taught to read if he never does read afterwards, or never anything that can be of the smallest use to him? Our object ought to be that the children should leave school with their minds so informed that they will wish to read, and be able to understand the best books or general literature and information. This is quite practicable. We need ^anot^a go to America or Germany for the proofs. The Scotch Parochial Schools did as much as this for two centuries and more. During that time the Scotch peasantry not only were taught to read but loved to read and did read; and if they had not many books within their reach they read all the more assiduously the best that they had, and the effect on their intelligence was such that the sons of Scotch labourers were to be found all over Europe in skilled employments. (*Hear, hear.*) My next point is this: There will be elected doubtless by the different constituencies many persons of strong religious convictions, whose interest in education has its principal ^bsource^b in religious zeal. It would be very wrong to exclude such persons. Were they all rejected, the opinions of the constituencies would not be freely represented. But this I do say, that no one is fit to take part in administering the Act¹ who cares only for religious teaching, who looks upon secular instruction as a minor matter, for which a small portion of attention is necessary. We must remember that the object for which the

¹33 & 34 Victoria, c. 75 (1870).

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Act was passed was the improvement and extension of elementary education, and though some people may think, as I do not, that a certain amount of religious teaching belongs properly to elementary education, no one can suppose that the main object of the country and the Government in passing this Act was religious teaching as opposed to secular. (*Hear, hear.*) One word more as to the kind of candidates we should not elect. Those are to be deeply distrusted who show themselves anxious only for more schools and not also for better. The mere multiplication of schools no better than most of those we have would be a very moderate advantage. What is the character given of the present schools by Bishop Fraser, of Manchester, who, having been an inspector of schools, knows what they are, and who also knows by his own observation the schools of the United States?² He says that of our primary schools one-third may be considered tolerable, one-third middling, and the remaining third positively bad. (*Laughter.*) And in passing this terrible judgment he is not trying them by a high standard, but by the miserably low standard they profess—reading, writing, and the first four rules of arithmetic. Even these the great majority of our existing schools do not teach, and few, indeed, are there which teach to any purpose anything more. (*Hear, hear.*) I have said enough, perhaps, about the disqualifications of candidates. Now, what about their qualifications? Well, we want people who know what ought to be done, and are zealous to do it, and the best evidence of ‘both is—’ actions. We should ask of all who offer themselves for our suffrages, what have you done for education? And we should be very much guided by their answers. There is no lack of persons in England, and even in London, who have done something considerable for education; some of them have done things really great and memorable. Unhappily, but few of them are candidates, but that, perhaps, is our own fault in not seeking for them. Let us ask all our candidates what they have got to show of this kind. And in estimating their claims let us, again, remember that services rendered in improving the teaching in schools ought to count for more than what is done merely to increase their number. We should also ask them for some proof that they are competent to judge of schoolmasters and schoolmistresses. Let no one think that it is an easy thing to know good teaching from bad. It requires practical experience of teaching and no ordinary knowledge of the human mind. The candidates should be asked what amount of study they have given to the art of teaching and to the reasons why one teacher succeeds and another fails. The account they are able to give of themselves in this particular will be a considerable guide to their qualifications for the School Board. There are one or two more things to be considered. It is of great importance that there should be a proportion of working men on the Board. (*Loud cheers.*) And it is of the utmost importance that there should be a proportion of women. (*Cheers.*) The working classes are those

²See No. 147, n5, for the background to this reference.

^cDT] TT,PMG this is

for whose children the schools are intended. They are those for whose wants and exigencies we have to provide. No one knows the circumstances and wants of the working classes so well as intelligent working people, and the participation of such persons will do more than anything else to give the working classes confidence in the School Board. Besides, there is no class which, taken as a class, is so much in earnest about popular education, so solicitous about its quantity and quality, and so free from any side purposes of promoting the interests of any sect or party by means of it. (*Hear, hear.*) Working men are indispensable if the School Board is to be thoroughly efficient and popular. Women are still more necessary. In the first place, we have girls to educate as well as boys, and a national education for girls directed solely by men would indeed be an absurdity on the face of it. Moreover, women as the principal domestic teachers have more experience, and have acquired more practical ability in the teaching, at least of children. Almost every mother of a family is a practised teacher, and even beyond the family. For one man not a teacher by profession, who has given much of his attention to teaching or to the superintendence of teaching, there are many women who have done so. Were we not to elect any women we should go completely counter to the spirit of the Act. (*Cheers.*) Parliament has shown what its opinion is by expressly making women eligible to the School Board.³ It will be most incomplete without them, and it is much to be regretted that so few women have yet offered themselves as candidates. (*Cheers.*) One thing more. We need not think it indispensable that all we elect should be resident in our own district. We are electing superintendents of education not for ourselves alone, but for all London, and our great concern should be to obtain the fittest persons possible, whether they live in one quarter of the metropolis or in another. If our affairs are mismanaged or less well managed than they might be, it will be a poor consolation to reflect that this has been done by people living at Greenwich, when, perhaps, there was some person of ability out of Greenwich who, if sent by us to the School Board, would have turned the scale on questions of the greatest importance. All ^dlocal as well as personal considerations^d should be silent in the presence of the great trust which the metropolis has now to discharge. (*Loud cheers.*)

[*The candidates present addressed the meeting, and then a resolution was moved and seconded that no one was worthy to serve on the School Board who would not seek to secure attendance of every child at school, support free education, and insist that the schools should not be made the means of instilling sectarian opinions; and further that the working classes should be represented on the Board. After a long discussion the motion was adopted, and a vote of thanks to the Chair concluded the meeting.*]

³On 16 June, 1870, in answer to a question by P. A. Taylor, Forster said that in the Education Bill "he" included both sexes (*PD*, 3rd ser., Vol. 202, col. 259).

^{d-d}DT] TT persons

150. Women's Suffrage [3]

12 JANUARY, 1871

Speech of the Late John Stuart Mill at the Great Meeting in Favour of Women's Suffrage, Held in the Music Hall, Edinburgh, January 12, 1871 (Edinburgh: Edinburgh National Society for Women's Suffrage, 1873). A full report of the meeting, including the text of Mill's speech, is also found in *Women's Suffrage. Great Meeting in Edinburgh in the Music Hall, on 12th January 1871, under the Auspices of the Edinburgh Branch of the National Society for Women's Suffrage* (Edinburgh: printed Greig, 1871), pp. 7–12, and 22 (which supplies the text for Mill's response to the vote of thanks); also reported fully on 13 January in *The Scotsman*, and in abbreviated form in *The Times*. The public meeting was held in the evening, with a large audience of both sexes. Duncan McLaren was called to the Chair. After the reading of letters of regret and the annual report (in which mention of Mill brought applause), McLaren indicated that the next and leading motion would be moved by Mill, saying "the audience owed a greater debt of gratitude" to Mill than "they were perhaps aware of, because he had come down from London in this inclement weather for the sole purpose of being present on this occasion, and his engagements were such that he was obliged to be off again in the morning. (*Applause.*)" (*Scotsman.*) Mill was received with prolonged cheering, the audience rising and waving their hats and handkerchiefs.

IF THERE IS A TRUTH in politics which is fundamental—which is the basis of all free government—it is that when a part of the nation are the sole possessors of power, the interest of that part gets all the serious attention. This does not necessarily imply any active oppression. All that it implies is the natural tendency of the average man to feel what touches self of vastly greater importance than what directly touches only other people. This is the deep-seated and ineradicable reason why women will never be justly treated until they obtain the franchise. They suffer, assuredly, much injustice by the operation of law. But suppose this changed; even then—even if there were no ground of complaint against the laws, there would be a break-down in their execution as long as men alone have a voice in choosing and in removing the officers of Government.

All our recent constitutional reforms, and the whole creed of reformers, are grounded on the fact that the suffrage is needed for self-protection. All experience proves that if one part of the community is held in subjection by another part, it is not trusted with the ordinary means of self-defence, but is left dependent on the good-will and pleasure of those who are more privileged, the most vital interests of the subject-portion are certain to be, if not recklessly trampled upon, at least postponed to almost anything else.

The treatment of women is certainly no exception to the rule. They have neither equal laws nor an equal administration of them. The laws treat them as they could not long be treated if they had the suffrage; and even if the laws were equal, the administration of the laws is not. Police magistrates and criminal judges cannot be exceptionally bad men; they are not chosen for their bad qualities; they must be

thought, by those who appoint them, to represent fairly, or better than fairly, the moral feelings of average men. Yet, what do we see? For an atrocious assault by a man upon a woman, especially if she has the misfortune to be his wife, he is either let off with an admonition, or he is solemnly told that he has committed a grave offence, for which he must be severely punished, and then he gets as many weeks or months of imprisonment as a man who has taken five pounds' worth of property gets years.

We are told that the good feelings of men are a sufficient protection to women. Those who say so can never, one would suppose, look into the police and law reports. If good feeling "of men" does not protect women against being beaten and kicked to death's door every day of their lives, and at last beaten and kicked to actual death, by their special guardians and protectors, can we expect that it will secure them against injuries less revolting to humanity? Most men, it will be said, are incapable of committing such horrible brutality. Perhaps so; but it seems they are quite capable of letting it be committed. If women who are maltreated by their husbands found a defender in every other man who knew of it, they might have some chance of protection without the weapon of the suffrage. But it is never so; slaves did not find it so; serfs did not find it so; conquered nations do not find it so; and neither do women. There are many men who would not consciously do them any wrong; but there must be a great moral improvement in human nature before most men will exert themselves to prevent or to redress wrongs committed by others under the sanction of law. And of these two things—the suffrage for women, and a grand moral improvement in human nature—the suffrage, to my thinking, is likely to be the soonest obtained. (*Cheers.*) I could afford to stop here. I have made out an ample case. There is a portion of the population, amounting in number to somewhat more than half, to whom the law and its administration do not fulfil their duty, do not afford even the bodily protection due to all—this half happening to be that which is not admitted to the suffrage. Their most important interests are neglected—I do not say from deliberate intention, but simply because their interest is not so near to the feelings of the ruling half as the ruling half's own interest. ^bThe remedy is plain: put ^bwomen in the position which will make their interest the rulers' own interest. Make it as important to politicians to redress the grievances of women as it is to redress those of any class which is largely represented in Parliament.

If nothing more than this could be said in support of their claim to the suffrage, no claim could be more fully made out. (*Cheers.*) And if the claim is just, so also is it strictly constitutional. One of the recognised doctrines of the British Constitution is that representation is co-extensive with direct taxation. The practice of the Constitution, it is true, for a long time did not correspond with the theory; but it has been made to conform to it at last, in cities and boroughs, provided the tax-payer is

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^{b-b}Scot But how is this to be remedied? Put

of the male sex; but if a woman, she may be the largest tax-payer in the place, and the person of greatest practical ability besides; no matter, she has no vote. This is something very like punishing her for being a woman. The conditions which in the eye of the law and of the Constitution confer a title to a voice in public affairs are all fulfilled by her, with the single exception of having been born a male. This one deficiency, which I humbly submit she cannot help—(*laughter*)—is visited on her by the privation of a right as important to her as to any man, and even more important, since those who are physically weakest require protection the most. This is not an injury only, but an indignity. I grant that those who uphold it are in general quite unconscious of its being so; but this comes from the inveterate habit of having one rule and measure for all that concerns women, and another for everything else.

Men are so much accustomed to think of women only as women, that they forget to think of them as human. (*Hear, hear.*) It is not only for their own sake that women ought to have the suffrage, but also for the sake of the public. It is for the interest of us all, both men and women, and of those who are to come after us. The reasons that may be given for this are many, but I may content myself with two. One, and the strongest, is what we sometimes hear unthinkingly urged as an argument on the other side—because women have so much power already. (*Laughter.*) It is true they have much power. They have the power which depends on personal influence over men. They have the power of cajolery—(*laughter*)—and often that of a petted favourite; power sadly inadequate to their own just and necessary protection against wrong, but sufficient at times to produce only too much effect upon the public conduct of the men with whom they are connected. But as this power, instead of being open and avowed, is indirect and unrecognised, no provision is made for its being rightly used. As it is conventionally assumed that women possess no power outside the domestic department, the power which they do and always will possess is exercised without the necessary knowledge, and without the proper responsibility.

It having been decreed that public matters are not a woman's business, her mind is carefully turned away from whatsoever would give her a knowledge of them, and she is taught to care nothing about them—that is, until some private interest or private likings or dislikings come in, when of course these private feelings have it all their own way, there being no public principles or convictions to control them. The power, therefore, which women now have in public affairs is power without knowledge. It is also power without responsibility. A man's wife is very often the real prompter either of what he does well and nobly, or of what he does foolishly or selfishly; but as she gets no credit for the one, so she is not held accountable for the other; if she is selfish, a very little art suffices to exempt her from censure though she succeeds in compassing her ends; if she is simple and well meaning, she does not feel bound to inform herself, so as to have a 'reasonable opinion on what is

^c—Scot rational opinion upon what she is told is

solely the ^c man's business, though all the while her ignorant prepossessions or her natural partialities may be acting as a most pernicious bias on what is supposed to be his better judgment. From this combination of absence of instruction and absence of responsibility, it comes to pass that, though women are acknowledged to have, as a rule, stronger conscientious feelings than men, it is but a very small minority of women who have anything that deserves the name of a public conscience. How great an evil this is ^d, there needs no argument to show. What is the greatest obstacle which the friends of political and social improvement have to struggle with—the drag which is constantly obstructing their efforts and disappointing their hopes? Is it not the weakness of the average citizen's political conscience? Is not this the special danger and failure to which ^epopular institutions^e are exposed—that the elector does not sufficiently feel his obligations to the public, and either stays away from the poll, or goes there and votes on the prompting of some private interest? And how can we hope that he will learn to postpone private interests to public, while he has beside him, in the person of his closest intimate, one who has been trained to have no feeling whatever of his duties to the public, but who has the keenest feeling of his duties to his family, and who, even without intending it, cannot but sway his mind strongly in the direction of the only interests which she understands and appreciates? (*Applause.*) It must be remembered, too, that this is a growing evil. Time was when the wife was very little a companion of her husband—their lives were apart; the associates of his leisure and of his recreations were other men. But now the home and its inhabitants are so much to a man, that no other influence can, as a rule, compete with theirs. The time, therefore, is come when, if we would have public virtue in our men, we must have it in our women. (*Hear, hear, and applause.*) And how can a woman have a conscience about the public good, if she is told, and believes, that it is no business whatever of hers? Give women the same rights as men, and the same obligations will follow. Instead of hanging a dead weight on men's public conscience, their greater general susceptibility of moral feeling will make their habitual influence a most valuable support to the honest performance of public duty. (*Loud applause.*) This, then, is one of the reasons why it is for the good of all that women should have an admitted right to take part in public affairs. Another is the vast amount of brain power and practical business talent which now runs to waste for want of an outlet into those great fields of public usefulness, in which no one, I suppose, will pretend that such qualities are not very much wanted. Few men, I suspect, are sufficiently aware of the great amount of administrative ability possessed by women; for want of considering that the essential qualities which lead to practical success are the same in what are called small things as in great.

It is my belief that, in all those parts of the business of life which depend on the vigilant superintendence and accurate estimation of details, women, when they

^dScot to man

^e--^eScot public movements

have the necessary special knowledge, are better administrators than men. And I am now speaking, not of women as they might be—not as some improved mode of education would make them—but of women as they now are, and of the capacities which they have already displayed. If an example is wanted of what women's powers of organisation can accomplish in public life, I appeal to one of the most striking facts of modern times, the Sanitary Commission in the late American War. The history of that Commission ought to be as well known all over the world as it is in America. From the beginning, and throughout, it was women's work. It was planned, organised, and worked by women. The Government was jealous of them at first, but the hopeless inferiority of its own arrangements made it soon glad to make over the first place to them. Not only had such work never been so well done, but nobody had ever supposed it possible that it could be so well done. I am aware that this argument would carry us much further than the suffrage; but I suppose it will be acknowledged that those who are themselves eminently capable of practical business, must be fit to take a share in the choosing of those to whom practical business is to be entrusted. The ability which is specially required for the exercise of the suffrage—that of selecting the persons most capable for the work that is to be done—is one of the qualifications for business in which women have always excelled. Great queens have in nothing shown themselves greater than in their choice of Ministers. When the ladies of the Sanitary Commission wanted men to help them, they knew the right men and how to use them; and they distinguished themselves not less by the work which they caused to be done, than by that which they did in their own persons. (*Applause.*) These are some of the reasons which make it equally just and expedient that the suffrage should be extended to women. It must, at the same time, be borne in mind that, by admitting them to the suffrage, no other question is in the smallest degree prejudged.

Supposing it true, what some people are so fond of affirming, that women have nothing to complain of, and that the vast majority of them do not desire any change; if so, giving them the suffrage can do nobody harm, and would afford them an opportunity of showing their perfect contentment with their present lot, in a manner beyond the reach of dispute. (*Applause.*)

If what we are told is true, that women ought to be, and always must and will be, in a state of domestic and social subordination to men, why, then, they require the suffrage so much the more, in order that the sovereignty of men over them may be exercised under the fitting responsibility. None need political protection so much as those who are in domestic dependence, since none are so much exposed to wrong. On every possible supposition, therefore, they have a claim to the suffrage. And we live at a period of human development, when the just claims of large numbers cannot be permanently resisted.

The whole movement of modern society, from the middle ages until now, greatly accelerated in the present century, points in the direction of the political enfranchisement of women. Their exclusion is a last remnant of the old bad state of

society—the regimen of privileges and disabilities. All other monopolies are going or gone. The whole spirit of the times is against predetermining by law that one set of people shall be allowed by right of birth to have or to do what another set shall not, by any amount of exertion or superiority of ability, be allowed to attain. (*Applause.*)

If nature has established an ineradicable and insuperable difference in the capacities and qualifications of the two sexes, nature can take care of itself. What nature has decided may safely be left to nature. But when we find people making themselves uneasy for fear that nature's purposes should be frustrated unless law comes to her assistance, we may be pretty certain that it is not nature they are so careful about, but law pretending to be nature. To all such pretences the growing improvement of mankind is making them more and more adverse.

I do not know how long a time it may require to get rid of women's disabilities. Great changes in the habits and opinions of mankind are always slow. But of one thing I am certain—that when once they have been got rid of—when their true aspect is no longer disguised by the varnish of custom and habit—they will appear in the retrospect so devoid of any rational foundation, and so contradictory to the principles by which society now professes to guide itself, that the difficulty which will be felt will be to conceive how they can ever have been defended, and by what possible arguments they can ever have been made to appear plausible. (*Loud cheers.*)^fThe resolution I have to propose is—"That the ownership or occupation of lands or house being the basis of representation in this country, it is unjust in principle to make sex a ground of disqualification, thereby excluding a large number of intelligent persons well qualified to exercise the electoral franchise; and the recent school board elections in England have proved not only that women are desirous to exercise this right, but that they can do so without the slightest inconvenience."^f (*Loud and prolonged cheering.*)

[*The resolution was adopted unanimously, and then Professor Masson,¹ in a long speech that obtained a mixed reception, moved that the meeting thank Jacob Bright for his efforts in Parliament, and petition Parliament in favour of his bill, authorizing the Chair to sign the petition in the name of the meeting. The resolution was approved but not unanimously. Professor Kelland² moved the vote of thanks to Mill, commenting that he "was known wherever the English language was spoken as one of our greatest philosophical thinkers—a thinker who had set his mind to knock down what was opposed to the progress of right and liberty."* The motion

¹David Masson (1822–1907), Professor of Rhetoric and English Literature at Edinburgh since 1865.

²Philip Kelland (1808–79), Professor of Mathematics at Edinburgh since 1838.

^f+ W] Scot Mr. Mill concluded, amid great applause, by proposing the following resolution: . . . as W . . . land or houses . . . exercise the franchise . . . England prove . . . that right . . . as W

was seconded by the Rev. Dr. Wallace,³ who referred to Mill as one "to whose mind every one who had the slightest pretension to culture and intelligence must gladly acknowledge himself under obligations of gratitude which could not well be expressed; a great and original philosopher, who had not speculated for his own amusement, but who had earnestly directed all his great gifts to questions and to enterprises bearing directly upon the highest welfare of mankind—a man who all his lifetime had set before himself the noblest objects, and who had striven to promote these, not by appeal to passion or to prejudice, but by a fairness and an honesty of reasoning that was equalled only by the transcendent ability which he had exercised in that direction. (Applause.) Sure he was that, whatever difference of opinion there might be—and difference of opinion might be expected in so large an assemblage as the present—with regard to the conclusions Mr. Mill had advocated before them, there could be but one sentiment of admiration and of gratification at having seen Mr. Mill amongst them, and having listened to an example of the fair, and close, and honest reasoning which he had made popular in this country, and by so doing, had contributed very largely to the development of an intellectual veracity among us which was not one of the least important virtues in these days, when there were so many temptations to sophistry and to the sinking down of the human intellect into ways that were not worthy of its dignity. (Applause.)" The motion was "warmly received, the bulk of the assemblage rising to their feet and cheering heartily."]

⁸Mr. Stuart Mill said—I feel most strongly the kind manner in which my name has been received by the meeting, not that I think for an instant that I deserve a tenth part of the kind things said of me by the proposer and seconder of the motion; but I cannot refrain from saying that even much greater trouble than I have been put to in coming from London here would have been much more than required by the sight of so grand a meeting as this. I know that the cause owes an immense debt to Scotland, and in Scotland to Edinburgh, and I cannot close these few words without moving the thanks of the meeting to a gentleman to whom, more perhaps than to any one in Edinburgh, the cause owes the most—Mr. Duncan McLaren. (Applause ^hand hisses ^h.) No one who has exerted himself in this cause has done more to promote it than that gentleman, and I may add, the ladies of his family.⁴ (Hear, hear.) To their exertions may be ascribed the rapid success which has

³Robert Wallace (1831–99), rector of Old Greyfriars, Edinburgh, since 1868, and examiner in philosophy at St. Andrews since 1866.

⁴In addition to Priscilla McLaren, Duncan's wife (see No. 146, n2), Mill is referring specially to his daughter (by a previous marriage) Agnes (1837–1913); both of them were on the platform, Priscilla McLaren as President and Agnes McLaren as Secretary of the Edinburgh Branch of the National Society for Women's Suffrage.

⁸⁻⁸+ W, Scot [Scot in summary]

^{h-h}+ Scot

attended this movement, not only in Edinburgh but throughout Scotland. In moving a vote of thanks to Mr. McLaren for his conduct in the chair, I may also add, for his past services in this cause.⁸ (*Applause.*)

[*This vote of thanks having been passed and acknowledged, another was given to the Ladies' Committee, who had organized the meeting, and the proceedings ended "with loud cheers for Mr. Mill."*]

151. The Cumulative Vote

13 FEBRUARY, 1871

Sessional Proceedings of the National Association for the Promotion of Social Science, IV (1870–71), 234–5 (fascicle for 16 February). The meeting was devoted to a paper by Thomas Hare, "On the Suggestions Afforded by the Application of the Cumulative Vote, and by the Other Incidents of the School Board Elections, for Improvement in the Constitution of Municipal and Local Governing Bodies" (*ibid.*, pp. 215–26). Mill was in the Chair, and, as was customary, made the concluding remarks.

THE CHAIRMAN SAID THAT a more satisfactory debate than this he had not often had the pleasure of hearing. There was not one speaker who did not show that he was entitled to be heard on the subject, and he thought that there was not one who had not contributed something useful to the debate. It was also extremely satisfactory to find that it was not necessary to defend Mr. Hare's system; no speaker had contested it. On the contrary, every one had shown a strong sense of its importance. The great principle of Mr. Hare's system was that one member of the community was entitled to as great a share in the representation as another—that the representation ought not to be engrossed by one portion of the community because it was the most numerous, but that every portion was entitled to be represented in the ratio of its numbers. This was the principle of Mr. Hare's system, and such a general assent had been given to it, such a strong sense has been manifested of its importance, there being no contrary opinion expressed, he did not think it at all necessary that he should use any argument, or give any summary on this point. He should only touch on a few other points that had been adverted to. The cumulative vote is, as everybody must see, a very imperfect mode of obtaining—partially—or a part of the results that would flow from Mr. Hare's system. Other systems have been proposed by several speakers which, in their opinion, though still imperfect, would approximate more nearly than the cumulative vote to the results which Mr. Hare aimed at; but he (*the speaker*) thought that these plans, if more closely considered, would be found not to approach so near as the cumulative vote. The disadvantages which they all

have—which the cumulative vote has—is that a number of votes are thrown away. No doubt if Mr. Hare's plan were adopted, the cumulative vote might be cured of a certain portion of this inconvenience. He did not know that it would be necessary to spread the election over so long a period as contemplated. It was suggested that there should be a periodical statement of the poll, as a way in which the cumulative vote might be made less a failure in the way of a waste of power. Other speakers spoke as if it were an easy matter to turn over surplus votes to another candidate, but no one had shown how this was to be done, nor did he see how it could be done. To whom should the transfer votes go? If there was a means of transferring them, it was a pity that it had not been stated. Sir William Fraser's recommendation of having a large constituency—the whole of London, for instance—was a very important and desirable thing;¹ but if it were adopted without Mr. Hare's plan of the quota that would make matters worse than they were now, because now, opinions in the minority may be represented in some districts; and in that awkward way people would get a representation to which they were entitled. But if they took the whole of a very large constituency—if they took the whole of Great Britain, in that case, without the system of the quota, no minorities would be represented anywhere—none but the strong party in the nation would have any representation at all. With the quota, nothing could be more desirable than that they should go to that extreme point of taking in the whole nation, because they would attain by that means, not only the representation of minorities in a more complete manner than on a limited scale, but the most striking advantage of Mr. Hare's plan, namely, that the electors would have the whole country from which to choose the best men, instead of having to choose the best out of a small portion of the country. It had been suggested by Mr. Edwin Chadwick that the plan of allowing one vote to every elector for one single candidate would be a better plan than the cumulative vote,² but he thought it would be attended with considerable disadvantage unless the principle of the quota were adopted with it. If one constituency could return no more than one representative, then they would lose the representation of minorities. This was not what Mr. Chadwick supposes; he must contemplate that under this rule of a single vote, the constituency should return a certain number of representatives, so as to admit of the representation of minorities. Under this system it would, perhaps, happen that every party would be represented, but certainly the majority were entitled to more than an equal representation. No one wished that minorities should have the same representation as majorities. The matter must be so regulated that majorities shall be able to have more than an equal

¹William Augustus Fraser (1826–98), author of *London Self-Governed* (London: Harvey, 1866) and former M.P., had spoken before Mill: "On the Suggestions Afforded by the Application of the Cumulative Vote, and by the Other Incidents of the School Board Elections, for Improvement in the Constitution of Municipal and Local Governing Bodies," *Sessional Proceedings of the National Association for the Promotion of Social Science*, IV (1870–71), 228–9.

²Chadwick, *ibid.*, p. 228.

representation. By the plan Mr. Chadwick proposes, unless the quota were combined with it, it would be only favourable to candidates of the majority. The quota was the essence of Mr. Hare's system. By the principle of it, they got beyond the cumulative vote. The debate had been extremely valuable.

[The session adjourned after votes of thanks to Hare and Mill.]

152. Discussion of the Contagious Diseases Acts

23 FEBRUARY, 1871

Sessional Proceedings of the National Association for the Promotion of Social Science, IV (1870-71), 269-70. Mill, a representative on the Council from the Economy and Trade Department, spoke on a motion in Council to postpone consideration of a resolution, passed at the Newcastle Congress, on the Contagious Diseases Acts until the Royal Commission had reported. He was preceded by Frederic Hill (1803-96), an Inspector of Prisons, who, strongly opposed to the policy of the Acts, spoke in favour of the postponement.

MR. JOHN STUART MILL *also acquiesced, at the same time stating that* his conviction as to the moral aspect of the question and the general policy of the Acts could not be influenced by any collection of facts or inquiry made by the Commission.¹

153. The Army Bill

10 MARCH, 1871

Daily Telegraph, 11 March, 1871, p. 5. Headed: "Our Military Expenditure." Also reported in slightly abbreviated form in *The Times* and in the *Daily News*. The evening meeting was called by the Working Men's Peace Association to protest against the government's proposal to increase military expenditure. The report in *The Times*, which calls the meeting "extremely noisy," says St. James's Hall "was not half full." Mill was in the Chair; the platform party included "a number of the representative men of the working classes." After a letter of support from Henry Fawcett was read, Mill spoke.

LADIES AND GENTLEMEN, whatever diversities "of opinion" may exist in the country as to the proper constitution of our military force, and the proper limits of its amount, I think we all have reason to unite in a profound dissatisfaction with the

¹"Report of the Royal Commission upon the Administration and Operation of the Contagious Diseases Acts," *PP*, 1871, XIX, 3-20. For the Acts, See No. 146, n1.

Government measure.¹ (*Hear, hear.*) It is offered as a great army reform to cure the notorious defects of our military system. But what are the defects of our present system? At an expense greater than would be necessary for an army, it gives us only an army corps. If an army is to be of ^bany^b use, it must be of use when it is wanted. But our army is vastly too large when it is not wanted, and vastly too small when it is. (*Laughter and cheers.*) If the time should come when we really require an army for the defence of these islands, the force we can muster is totally inadequate. We are as absolutely dependent on the Channel fleet for the safety of the country as if we had no military force at all, and we pay £14,000,000 a year for not having an army, when it costs the Prussian Government only half that sum to be able, as we have seen, to bring 500,000 trained men into the field at a fortnight's notice. (*Hear, hear, and That's it.*) This is what we have to remedy. Now, what is the remedy proposed? An increase which, except as regards the artillery, adds almost imperceptibly to our power of meeting an enemy, while to effect it £3,000,000 more a year are to be added to the present £14,000,000 'of cost', without counting any of the other millions which we are to pay for the abolition of purchase.² (*Hear.*) Whatever our ideas may be of the sort of changes which are requisite, this, I think, is a kind of reform which cannot satisfy any one. (*Cheers.*) Efficiency is one thing, and economy is one thing, but if we are to have neither efficiency nor economy, it is time we took the matter into our own hands. (*Cheers.*) We should try to have—both. (*Loud cheers.*) I should heartily rejoice if I could conscientiously believe that we could do without an army, and could trust only to our fleet. (*Hear, hear.*) But no country is safe with only one line of defence, and we cannot be sure of always keeping the command of the sea without a single day's intermission, which would be necessary if our only force were the fleet. We must remember that our navy has a great deal to do. We have possessions all over the world which in case of war we are bound to protect as well as our own islands, and we may have to contend against not one maritime Power only, but against several; and if we persist in sanctioning ^dby our silence^d the act of our late Foreign Minister done without authority in 1856, and never ratified,³ we abandon one of our most effective ^edefensive^e weapons—the ^fpower^f of attacking an

¹"A Bill for the Better Regulation of the Regular and Auxiliary Land Forces of the Crown; and for Other Purposes Relating Thereto," 34 & 35 Victoria (16 Feb., 1871), *PP*, 1871, I, 11–38 (enacted as 34 & 35 Victoria, c. 86 [1871]).

²For the additional £3,000,000, see "Army Estimates of Effective and Non-Effective Services, for 1871–72," *PP*, 1871, XXXVIII, 3. The abolition of purchase of commissions was provided in Clause 2 of the Bill under discussion (see n1 above), and was effected by a Royal Warrant (1 Nov., 1871), *PP*, 1871, XXXIX, 601.

³For the action of George Villiers, Lord Clarendon, with reference to the Declaration of Paris, see No. 80, n5.

^{b-b}+ TT, DN

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^{d-d}+ TT, DN

^{e-e}+ TT, DN

^{f-f}TT, DN right

enemy through his commerce. The fleet of a Power at war with us would have nothing to do but to watch ^sfor^s the opportunity of landing an army on our shores, and we should not know ^hwhich amongst many points would be attacked, and if our fleet were drawn off for two days by false information, the mischief might be done ^h. (*Hear, hear.*) Such a catastrophe is not probable '—we hope it is not even possible—but we' had a narrow escape from it just before Trafalgar, and we must contemplate the possibility of our having to defend ourselves against a powerful enemy who has succeeded in effecting a landing. Now, we might as well have no means of defence, as means not sufficient to prevent the country being overrun. The great and important point is that this cannot be accomplished by any possible increase of our standing army. (*Cheers.*) We are living in an age when wars are made by nations in arms, and we know now how effectually an armed nation can repel an invasion. ⁿNow that no nation is armed unless the nation in arms is ready to defend, no' country can afford to keep a standing army great enough for the purpose—and least of all we, whose military system costs us £100 ^ka year^k for every soldier it gives us. Henceforth our army should be our whole people trained and disciplined. (*Hear, hear, and a voice, That won't do.*) Not kept in barracks for three years like the Prussians, nor even for two years which the Liberals of Prussia stood out for. What is wanted is to take every year those who have ^tjust' arrived at manhood—(*No, no*)—and to place them in military training for a few weeks or months, in the way that is found sufficient in Switzerland. (*Loud cheers, and Oh!*) The foundation of ^mthe training should be laid, as it is in Switzerland, ^mat school, and if it is well done, a few weeks' training in the field in the first year of manhood makes a good soldier, and a fortnight's drill annually for a few years afterwards suffices to keep him so. (*Hear.*) When a system of this sort had existed for some years, we should require no standing army except the scientific corps, and as many as might be required for garrisons in India and for colonies whose inhabitants were not yet competent for self-defence. (*Hear, hear.*) A citizen army in time of peace would cost the Government nothing except for the short period of its embodiment, and the loss of productive power by withdrawing from industry for a short time young men of that age would scarcely be felt, and would be more than compensated by the good effects of military training in making them more steady and vigorous for the ordinary pursuits of life. Then, if war should break out, there would be a large army quite ready, and abundant reserves ready to reinforce it if occasion required. But, it will be said, these are only raw soldiers. Well, are not a standing army raw soldiers at the first breaking-out of

^{s-s}+TT, DN

^{h-h}TT where the blow would fall. Our fleet has only to be two days out of the way and our first line of defence is gone

^{t-t}TT but we must remember that it is possible. We

^{j-j}TT, DN A nation in arms requires a nation in arms to withstand it NO

^{k-k}+TT, DN

^{l-l}+TT, DN

^{m-m}TT, DN] DT this is laid

every war which is preceded by many years of peace? and I hope there will always be many years of peace between our wars. One would suppose it had been our practice to keep our standing army always fighting. A soldier is not like a carpenter or a sailor, whose whole life is passed in the active exercise of his profession. When the country is at peace our soldiers have no more experience of actual warfare than our citizens have. They are idle, and something worse (*cheers*), repeating merely elementary preparatory exercises, not the more skilled work of soldiering. Why does a man need to be constantly practising the goose step, when once he has learned it? Unless the country, therefore, like old Rome, is always at war, citizen soldiers and professionals have equally to learn their real business after the war has commenced; and the late war in America shows how well and quickly citizen soldiers learn. (*Cheers.*) No doubt if we were attacked by a Power with practised soldiers it would be some disadvantage to us to have none of ours; but this inconvenience must be undergone in any case, unless we are always fighting to keep our hands in; and we must "therefore" make it up by numbers, as the Prussians have done, "for they, be it remembered", at the time of the Danish campaign, had no soldiers who had seen service. Let us, then, make our people our army—(*cheers*)—as has been done in Prussia; but let us not keep them together^p, in time of peace,^p any longer than is sufficient for training. There is no true military reform but this; and a bill which, instead of pointing in this direction, points in the opposite—which gives us a more expensive standing army than ever, and does no one thing towards making the people themselves a defensive force—is not a reform, but a continuation and an aggravation of evils. (*Loud cheers.*) I recognise only two things in the bill as worthy of praise. One is the increase of our artillery. Undoubtedly, this country ought to have the very best instruments of war which ingenuity can devise, and an ample supply of them and of men trained to use them; and no doubt artillerymen require long training. The other point is the abolition of purchase—(*cheers*)—but it is only good as part of a system, and where is the system of which it ought to be a part? The great evil of purchase is that it officers the army with idle men who have never done a day of hard, dull work in their lives (*laughter and cheers*), and who scorn the idea of "studying their" business. (*Hear, hear.*) But what is there in this bill to compel officers to study and understand their work as the Prussians do? The first commissions are to be given by competition, and that is good; but then promotion is to go by selection, which unless guarded by infinite precautions, means "favouritism and all the old evils". (*Hear, hear.*) A competition at starting may keep out actual dunces and incorrigible idlers; but that ordeal once passed—and experience shows that it can

ⁿ⁻ⁿ+TT, DN

^{o-o}TT] DT, DN who

^{p-p}+TT, DN

^{q-q}TT, DN] DT steady

^{r-r}TT] DT, DN favour

be passed with a very moderate amount of exertion—what is there to hinder the army from being officered by the same sort of persons and from the same motives as at present—namely, gentlemanly excitement? (*Hear, hear.*) And really, if this is to continue, the abolition of purchase is not worth paying for. (*Cheers.*) If our armies are to be led by men who want to amuse themselves by playing at soldiers, the only good point in the whole matter is that they are made to pay handsomely for their amusement. (*Laughter and Hear, hear.*) Rich men may be very brave and dashing, if you will; but I sincerely hope they will never have to fight any of the nations which before many years have passed will have remodelled their armies after the Prussian pattern. (*Hear.*) The purchase of commissions is an evil and a blot, but it may as well be left as it is as abolished without stringent provisions that promotion shall only be possible to those men who have made a serious study of the military art. (*Hear.*) The bill, therefore, considered as a whole, is a step in the wrong direction. It does not appreciably strengthen us for national defence, and it contains no germs of a better system for the future. The least that can be done in such a case is to demand that, if we are not to have a better army, at least we shall not be required to pay for inefficiency three millions a year more than we pay already. I therefore heartily concur in the object of the present meeting. (*Loud cheers.*)

[*A resolution was moved, that the meeting refused to sanction an increased expenditure on the army, which was already the most costly in Europe, and regretted the weakness of a Liberal government in yielding to ill-founded alarmist fears and increasing the burden on an already over-taxed people. The proceedings were interrupted by a "knot of persons in the gallery, who exhibited a flag bearing the word 'republic,' and who also loudly vociferated their objection to the Princess Louise's dowry"; the Chair "reminded the interrupters that the meeting had been called for a different purpose, and that they were at liberty to hold meetings on their own account to give ventilation to their views on those subjects" (Daily News). The motion was supported by Jacob Bright, who expressed disagreement with some views of Mill, specifically that England should be a nation of soldiers; P.A. Taylor also spoke in support, avowing agreement with Mill as to the need for a national force. After the failure of an amendment protesting against the Army Regulation Bill because it did not limit the tenure of the Commander-in-Chief or prevent German Princes from retaining commands in the Guards, the resolution was approved unanimously, and then a motion was made (on behalf of the "men of the North") that the meeting call on the Members of Parliament to resist by all constitutional means the government's proposals to increase military expenditure; the motion was unanimously approved, and the meeting concluded with a vote of thanks to Mill, which was approved with cheers.]*

154. Land Tenure Reform [1]

15 MAY, 1871

Land Tenure Reform Association. Report of the Inaugural Public Meeting, Held at the Freemason's Hall, London, Monday, 15th May, 1871 (London: Higginbottom, 1871), pp. 3–11. Reported on 16 May in *The Times*, the *Daily Telegraph*, and more briefly in the *Daily News*. Reprinted in the posthumous fourth volume of *Dissertations and Discussions* (London: Longmans, 1875), pp. 251–65. Some of the audience's responses are taken from the newspaper reports. The evening meeting, "densely crowded," with "all classes of reformers" filling "the great body" of the hall, was chaired by Mill, the President of the Association, who spoke first, and "was received with loud and long-continued applause" (*The Times*).

AFTER THE GREAT CHANGES that have been made in our political constitution it is impossible that the laws relating to landed property should not come up for revision. (*Cheers.*) It is a rule, to which history as yet furnishes few exceptions, that nations are governed by their landed proprietors. (*Hear.*) At all events, they have ruled this country; not despotically, for the people, in the last five centuries, have always had some share in the government; but the landlords, and those who looked forward to being landlords, have had the command of Parliament up to the last Reform Act, and still wield enormous power. (*Hear.*) The making of the laws which concern themselves has been in their own hands; and they have used the power as people generally do use power, for the promotion chiefly of their own objects. (*Laughter and cheers.*) I do not charge them with any special perversity, or with being worse in any respect than people usually are. They shared the common infirmity of human nature, which it requires a rare strength of character to overcome. (*Hear.*) It must be said also of our landed classes of the present and of recent times, that they did not make these selfish laws, but inherited them. Their own minds were enslaved by traditional notions handed down from ancestors more overbearing, more tyrannical, less capable of understanding the rights of other people, than any one is now. We ought to feel the greatest indulgence for the difficulty they have in freeing themselves from these mental trammels; and we should make our appeal, not only to the public, but to the more high-minded and open-minded of the landowners themselves, of whom there are a great number, to use their minds on these questions, and help us to get rid of the effects of past injustice. (*Cheers.*)

For the injustice, truly, was great. I pass over the original title by which landed property was acquired, which we know, in this country, was for the most part foreign conquest. Nor need I expatiate on the slavery, or serfdom, in which the rural population were kept for so many centuries; for that has long been at an end. I confine myself to evils which are still unremedied, and I remark that the land was formerly held subject to the obligation of personal service in time of war, and many

burdensome dues of the Crown in time of peace, from all of which, in the reign of Charles II, the landlords relieved themselves; and what did they grant to the Crown instead? An excise on beer!¹ (*Laughter.*) Soon after this came the Revolution of 1688, which, among other characteristics, had one not sufficiently noticed by historians; it was a revolution made by the towns against the country gentlemen. One of the fruits of it was a tax on the land, of 4s. in the pound,² which at that time may have been considered an equivalent for the burdens which had been taken off the landlords. But the lands were rated to the tax at a fixed valuation, made by the landlords to begin with, and which, in spite of the enormous increase in the value of land, has never since been raised; so that the nominal 4s. does not now exceed a real 1s., while on the vast town properties which have been created by the extension of building it is often only a fraction of a penny.

That is the first great wrong done to the nation by the landed interest. The second is this:—The rights of landed proprietors were in many cases legally limited by rights of common enjoyed by the neighbouring inhabitants. These rights the landlords have been gradually absorbing; formerly, often by downright usurpation; latterly, by the machinery of private Acts of Parliament and the Enclosure Commissioners; and they are even now pursuing the same course, dividing among themselves every year thousands of acres which ought to be left open for the enjoyment or cultivated for the benefit of the people. While this process of absorption has been going on, a set of laws have been in force, made by the landlords, and intended to make sure that no land which once got within their grip should ever get out of it. The laws of landed tenure have been contrived for the purpose of keeping together the largest possible landed possessions in the families which already hold the land; and though these laws have been considerably relaxed in the progress of improvement, such is still their practical effect. So much are the power and dignity of the class the first object, that to it are sacrificed the interests and wishes of the very persons who for the time being represent the class. When land is in settlement, as most land is, the landowner has only a life interest in what is called his property; he can neither sell it, nor bequeath it, nor even grant leases exceeding, I believe, 21 years.³ The landlord himself is denied the full use of the land, for fear that some of it should go out of the family into other hands. (*Cheers.*)

It is time that this mode of dealing with landed property, as if it existed for the power and dignity of the proprietary class and not for the general good, should henceforth cease. This Association acknowledges no other legitimate end of landed property than the interest we all have in the proper application of the land to the wants of the human race. The Association recognizes no rights to land that are not subordinate to this: and they have inscribed in their programme a series of

¹By 12 Charles II, c. 24 (1660).

²By 4 William and Mary, c. 1 (1692).

³By 19 & 20 Victoria, c. 120 (1856).

measures intended to bring back landed property to this its rightful purpose.⁴ (*Cheers.*)

Some of the articles of our programme it is sufficient just to mention, because, though very important, they are of so moderate a character that they hardly need any justification. For example, it is quite unnecessary that I should say anything against the law of primogeniture, for that is sure to go. The present Government have taken that task upon themselves.⁵ (*Hear.*) Something must be said about the laws of settlement and entail, by which land can be settled on a series of persons one after another, ending with one who is perhaps unborn, and until this unborn child comes of age the land cannot be sold, nor any change be made in the order of descent. Now, whether any other kind of property, in the funds for instance, should be allowed to be bequeathed in this manner, need not now be considered; but the land is too precious to the whole community to be detained by legal fetters in the hands of those who cannot make the best use of it. Land tied up from alienation stagnates in the hands of the idler, the spendthrift, the incapable; allow it to be sold, and they are soon obliged to part with it to the "skilful", the energetic, the enterprising. (*Cheers.*) If the law allows land to be private property, it should be as marketable a commodity, sold and bought with as little restriction, as any article of commerce. This was an object very dear to Mr. Cobden, who thought that free trade in land would end by bringing a great part of the land into the hands of the people:⁶ and many excellent persons, of strong popular sympathies, go thus far, who have not yet been able to reconcile themselves to going with us any further. I will say no more on this point, as I have to speak of others which require explanation much more.

We hold that all property in land is subject to the will of the State. This is the broad principle on which our claims are founded, and which, as long as it is confined to theory, few will dispute. Land—and by land I mean the whole material of the earth, underground as well as above—not having been made by man, but being the gift of nature to the whole human race, could only be appropriated by the consent, either express or tacit, of society: and society remains the interpreter of its own permission; with power to make conditions, with power even to revoke its consent, on giving due compensation to the interests that it has allowed to grow up. There is an Association, known as the Land and Labour League, which maintains

⁴Mill himself drew up the *Programme of the Land Tenure Reform Association* (London: Longmans, *et al.*, 1871); see *CW*, Vol. V, pp. 687–95.

⁵A bill had been promised by Gladstone, Speech on Real Estate Intestacy (16 Feb., 1871), *PD*, 3rd ser., Vol. 204, col. 322, but in the event no bill was introduced. Article II of the *Programme of the Land Tenure Reform Association* called for the abolition of primogeniture (*CW*, Vol. V, p. 689).

⁶Speech at Rochdale (23 Nov., 1864), in *Speeches on Questions of Public Policy*, ed. John Bright and James E. Thorold Rogers, 2 vols. (London: Macmillan, 1870), Vol. II, p. 367.

^a—DT speculative

that society ought to exert this ^bextreme ^bright.⁷ According to them, all the land of the country should be nationalized, and the rents paid into the Exchequer, compensation being made to the proprietors. This opinion the Land Tenure Reform Association does not as a body adopt. Many members of the Land and Labour League, waiving differences of opinion, are members also of this Association, but it contains many other members who are of a contrary opinion. Speaking for myself individually, I should say that the thing might rightfully be done, if it were expedient to do it, and I do not know that it may not be reserved for us in the future; but at present I decidedly do not think it expedient. I have so poor an opinion of State management (*cheers*), or municipal management either (*hear, and laughter*) that I am afraid many years would elapse before the revenue realized for the State would be sufficient to pay the indemnity which would be justly claimed by the dispossessed proprietors. It requires, I fear, a greater degree of public virtue and public intelligence than has yet been attained (*laughter*) to administer all the land of a country like this on the public account. (*Cheers.*) The administration of the waste lands is as much, I think, as we are at present equal to. At all events, I think we had better make a beginning with that, and give a thorough trial to collective before we substitute it for individual management. And since I have been led to speak of the waste lands, I will next explain that part of the Society's programme which concerns them.

The greatest stickler for the rights of property will hardly deny that if 'land, the gift of nature to us all, is allowed to be the private property of ' some of us, it is in order that it may be cultivated. Every defence of the institution of landed property that I have met with, declares that to be its object. Why, then, should any land be appropriated that is not cultivated? Observe, by cultivated, I do not mean ploughed up. Pasturage is as necessary, in this country even more necessary, than corn land; and woodland is necessary too. I do not make war against parks; they are already very productive pasturage, almost the best sheep pastures we have: and the extreme beauty of many of them, a kind of beauty found in no country but this, and which is our chief compensation for the paleness of our sun and sky, should make us prize them as a national benefit. I should be sorry to see the trees cut down, and the ground laid out as farms are laid out now, in ugly squares of cornfield, without even hedgerows to separate them. I own, however, that I do not think the possessors should have power to bar out the public from the sight and enjoyment of this beauty. With reasonable reservation for privacy, I think that parks should be open to the public, as, to the credit of the owners, many are now. But what we are at present concerned with is the wastes,—the really wild lands, which are still as

⁷See the *Address of the Land and Labour League to the Working Men and Women of Great Britain and Ireland* (London: printed Higginbottom, [1869]).

^b-^bDT inherent

^c-^cDT the land be given by nature and was taken from

nature left them, producing nothing except wild animals and spontaneous vegetation. Now, I don't say that it was wrong not to cultivate these lands. I don't say that all of them ought to be cultivated now; but I say that, cultivated or not, they ought to belong to the nation. If a common is not to be cultivated, why should any man be allowed to put a fence round it and exclude the rest of the world? If it is to be cultivated, what excuse is there for dividing it among the landowners, instead of keeping it for the people? Even if some landlord had a legal right to cultivate it, a right not used for so many centuries has fairly lapsed by disuse. But in general nobody has the right, and whoever wishes to cultivate must ask permission from Parliament. What has kept some good lands uncultivated is that a great many persons have rights of common, entitling them to use the spontaneous produce. When the lord of the manor and all the commoners agree, they can divide the land among themselves and enclose it.⁸ Fortunately, a single public-spirited commoner, refusing his consent, can frustrate this beautiful arrangement; and in this way, quite recently, Berkhamstead and Plumstead and other commons have been saved. When the commoners do not all consent, or when there are too many of them to be bought out one by one, application is made to the Enclosure Commissioners, who put the common into their annual Bill and divide it among the landholders. As the 30,000 persons who share among them the cultivated soil of this island have not yet, as it appears, got land enough, Parliament throws in every year many thousand acres more, to which it is not even pretended that they have a right.

And observe at whose cost this has been done. The rural labourers had once (it was a long time ago) a very substantial benefit from the waste lands. Most of them occupied cottages on or near some common or green, and could feed a cow or a few geese upon it. The cottager had then something, though it was but little, that he could call his own; he did not absolutely depend for daily food on daily wages or parish assistance: when the common was taken away he had to sell his cow or his geese, and sink into the dependent, degraded condition of an English agricultural labourer. He often got no compensation: when he did, if it was even a little bit of the land, he was soon cheated out of it or persuaded to sell it, the money was quickly spent, and his children were no better for it. They would have been much better for the cow and the geese. In modern Enclosure Bills there are sometimes, though by no means always, a few wretched acres reserved for recreation ground and garden allotments; by which last phrase are meant small patches of ground, not given to the labourers, but which they are allowed to hire at enormous rents. There is now before the House of Commons a Bill brought in by the Government, which professes to be a reform of this system. And what does the Bill say? It says that in future, when a common is enclosed, a tenth part of it shall be reserved for

⁸8 & 9 Victoria, c. 118 (1845).

recreation and allotments—provided that this tenth does not exceed 50 acres⁹ (*laugther*). More than 50 acres are not to be reserved on any account, not even if the Enclosure Commissioners should do so unheard-of a thing as to propose it. Fifty acres, out of sometimes 1,500 or 2,000! Fifty acres for the people; all the rest for the 30,000! What a state of things it must be when such a proposal as this is called, and really is, an improvement! (*Loud cheers.*)

The Land Tenure Reform Association invite the public to join in uncompromising opposition to this system. We demand, not fewer enclosures or larger reservations, but no more enclosures at all, unless for the benefit of the people. Let lords of manors and commoners receive a money equivalent for the profits they now derive from their rights in the land, and let the land itself be vested in some public authority in trust for the nation. The first thing to be done is what was proposed in the House of Commons by Mr. Winterbotham—let us hope that, now when he is in the Government, he will endeavour to obtain it for us—a general survey of the waste lands.¹⁰ When it has been made known what they are, their quantity, their quality, and their situation, then appoint a Commission to consider and report what portion of them should be kept open for the enjoyment of the lovers of natural freedom and beauty, and what part should be cultivated for the benefit, not of the rich, but of the poor. And let the first thought be for the most depressed part of our working population, the wretchedly paid, downtrodden, semi-pauperised, agricultural labourers. The experience of allotments has shown how much the occupation of land, even on the most extortionate terms, can do for these neglected creatures. The allotments are generally the worst land in the parish, but the produce they raise from it is prodigious, and enables them to pay exorbitant rents. Let them have it at rents that are not exorbitant: and when they have had it long enough to show that they are capable of managing it properly, let them have long leases at fixed rents; and when a labourer has shown that he knows how to make good use of a little land, give him more. (*Cheers.*) When possible, make the engagements with associations of labourers, combining their labour, that the great principle of co-operative industry may have a fair trial on the land. By these improvements, honestly conducted by persons who desire their success, a new life may be breathed into our unfortunate agricultural population, while a fair share of the value given to the lands by reclamation would go in relief of the general taxation of the country. (*Loud cheers.*)

But the commons are not the only lands in the kingdom which have as yet been

⁹Clause 3 of “A Bill to Amend the Law Relating to Inclosures of Commons, and to Provide for the Management of Commons Situate near Towns,” 34 Victoria (14 Feb., 1871), *PP*, 1871, II, 377–96 (not enacted).

¹⁰Henry Selfe Page Winterbotham (1837–73), M.P. for Stroud, appointed Under-Secretary of State for the Home Department in March 1871, Speech on the Inclosure Law Amendment Bill (23 Feb., 1871), *PD*, 3rd ser., Vol. 204, col. 825.

kept out of private hands. There are also the great estates of public bodies and endowed institutions. (*Cheers.*) Of all the abuses and malversations in the management of public matters in this country, the abuses of endowments are the most flagrant. (*Hear, hear.*) It begins to be felt that the whole of them ought to be taken in hand by the nation and thoroughly reformed; and a thorough reform in most cases means that their lands should either be managed for them by the State, or taken away altogether, such of them as are fit to be continued receiving money endowments instead. If this were done, a great extent of landed possessions would be at the disposal of the nation; and with all the defects of State management, management by endowed institutions is generally so much worse, that even after giving them full compensation, to which many of them are by no means entitled, a considerable surplus would probably be realised for the State. Much of this is town property; a distinguished member of this Association, who knows the subject officially, can tell you, that one may walk for several miles across London without once taking his foot off the property of some endowed institution.¹¹ I have seen it estimated that a fifth part of London belongs to them. It is well known how great a hindrance the obstinate selfishness of the owners of house property opposes to that most urgent reform, the improvement of the dwellings of the working classes. If those lands were resumed, what facilities would be afforded for that, as well as for open spaces, public gardens, co-operative buildings, useful public institutions, sanitary measures, and generally for all improvements that are beneficial to the poorer classes. (*Cheers.*)

These are our purposes with regard to the lands which are not yet swallowed up in the possessions of private individuals. It remains to tell you what we propose respecting lands which belong to private owners.¹²

The Association does not propose to resume these lands, nor to take from the holders by a forced sale any part of the value which they have already acquired. We leave undisturbed present possessions. But there is an incident of landed property which goes beyond present possession, and which we do not feel bound to respect. Land is limited in quantity, while the demand for it, in a prosperous country, is constantly increasing. The rent, therefore, and the price, which depends on the rent, progressively rises, not through the exertion or expenditure of the owners, to which we should not object, but by the mere growth of wealth and population. The incomes of landowners are rising while they are sleeping, through the general prosperity produced by the labour and outlay of other people. Some people ask—But why single out the land? Does not all property rise in value with the increase of prosperity? I answer, no. All other property fluctuates in value, now up, now down. I defy anyone to show any kind of property, not partaking of the

¹¹Thomas Hare, experienced as an Inspector of Charities, gave this information in a reply to Mill before the Select Committee on Metropolitan Local Government, *PP*, 1866, Vol. XIII, p. 387 (see App. B, Question 2811, below).

¹²See especially Art. IV of the *Programme*, *CW*, Vol. V, p. 690.

soil, and sufficiently important to be worth considering, which tends steadily upward, without anything being done by the owners to give it increased value. So far from it, that the other of the two kinds of property that yield income, namely capital, instead of increasing, actually diminishes in value as society advances; the poorer the country, or the further back we go in history, the higher we find the interest of money to be. Land alone—using land as a general term for the whole material of the earth—has the privilege of steadily rising in value from natural causes; and the reason is that land is strictly limited in quantity: the supply does not increase to meet the constant increase of demand. The Land Tenure Reform Association see no grounds of justice upon which this surplus value, the creation of society itself, should be abandoned to the landholders. We think it, for example, consummately unreasonable that because certain families, or their progenitors two or three generations ago, happened to own land over which this great capital, or other large towns, have since extended themselves, the estates of these families should now be worth millions of money, to which they have contributed nothing either in work or expenditure except signing leases. Well would it have been if this diversion of the public wealth had been foreseen and guarded against long ago: let us at least prevent any more gigantic fortunes from being built up in a similar manner. The Association claims for the State the right to impose special taxation upon the land, equivalent to its special advantage. Some writers and others, who do not know the meaning of words, call this confiscation; although we tell them that if any landlord objects to it, we are ready to hold him harmless, by taking the land off his hands at its present selling price. This is all he would have been entitled to if his land had been taken for a railroad; and if this is confiscation, every Railway Act is confiscation too. For my part, I am well convinced that landlords will prefer to retain their land even on the altered conditions. But if any landlord finds that the State does him an injustice, by laying on a tax more than equivalent to the natural increase of his rent, we leave the original offer still open; he may at any time avail himself of it, by accepting the sum first tendered, with the addition of compensation for any improvement made in the meantime by himself. (*Cheers.*)

By this reform, if the country remains prosperous, a considerable revenue will in time be obtained by the State from the increased value of land. It would not begin to come in immediately, because time must be allowed for the increased value to accrue. But I see no reason why the State should not grant, to any landlord who desires it, a lease of its prospective rights; allowing him to free himself for life, or for a term of years, from the claim of the State on the increase of his rental, by paying during that period a fixed annual sum; whereby the State would obtain a part of the pecuniary benefit at once. Or he might commute the claim for an extra succession duty on any vacancy that occurred within the term.

These are the principles and the proposals of the Land Tenure Reform Association. There are persons to whom these measures appear extremely audacious and subversive. I expect rather that those who come after us may think

our proposals very moderate and timid. For it is easy to foresee that this country, and all Europe, are entering upon an era in which they will have to discuss novelties far more alarming, and which will kindle much fiercer passions than these. To confine myself to the subject of land, the idea of an entire abolition of landed property is taking a strong hold on an active and stirring portion of the working classes. Ours is an honest attempt to find a middle ground of compromise, which, avoiding individual injustice, and sparing past acquisitions, shall maintain the right of the entire community to all that it has not yet parted with, and finally close the door to any further private appropriation of what should belong to the public. It does not seem to me that this is too much for the landed interest to concede; and less than this there is not the smallest chance that the working classes will long accept. Even those who take the most unfavourable view of the changes in our social arrangements which are demanded with increasing energy in behalf of the working classes, would be wise to consider that when claims are made which are partly just and partly beyond the bounds of justice, it is no less politic than honest to concede with a good will all that is just, and take their defensive stand on the line, if they are able to find it, which separates justice from injustice. (*Loud cheers.*)

[*The first resolution asserted that the laws relating to landed tenure should be altered so as to serve the general interest rather than that of a class; an amendment by M.J. ("Citizen") Boon (Brook in the Daily Telegraph), seconded by J. Johnson ("a rough-looking fellow," who said he was called "Johnson the Second" [The Times]), that the Land Tenure Reform Association was not worthy of working-class support because it did not favour land nationalization, was rejected by a large majority, and the resolution was carried. A second motion was moved that the meeting approved the formation of the Land Tenure Reform Association. It was announced by Mill that Odger, who was to have supported it, though present was too indisposed to speak; an amendment by John Cunnington, a farmer, opposing minute subdivisions of land in cooperative ventures, failed to find a seconder, and the motion passed. Then Weston moved thanks to Mill, emphasizing that it was no mere formality, but came from the heart, and saying: "Not only is the Chairman entitled to our thanks for the able and enlightened address to which we have listened this evening, and for the thoroughly impartial manner in which he has performed the duties of Chairman, but . . . he is still more entitled to our thanks for placing himself at the head of an Association, which, though it does not go in exactly for nationalization, goes a very long way in that direction. . . ." The resolution was carried by acclamation, and the meeting concluded.*]

155. Land Tenure Reform [2]

18 MARCH, 1873

Land Tenure Reform Association. Report of the Public Meeting, held at Exeter Hall, London, on Tuesday, March 18th, 1873 (London: Offices of the Association, 1873), pp. 3–8. Reported on 19 March in the *Daily Telegraph* and the *Daily News*. Reprinted in the posthumous fourth volume of *Dissertations and Discussions* (London: Longmans, 1875), pp. 278–87. Some of the audience's responses are taken from the newspaper accounts. The large evening meeting was chaired by Mill, the President of the Association, who was enthusiastically received, and spoke first.

IN INVOKING the assistance of this meeting to our efforts for Land Tenure Reform, many explanations that would have been absolutely necessary as lately as two years ago may now be dispensed with. It is no longer necessary to begin at the very beginning to show how there comes to be a land question, and what the question is. The newspapers and the speeches of Members of Parliament and others are full of it; friends and enemies have alike helped to bring it into notice; and we now read everywhere of Land Tenure Reform, and the unearned increment of rent.

Most of you probably know, at least in a general way, the creed and aims of the Land Reformers, and I need only, at present, briefly remind you of them. We hold that land—in which term we include mines (*cheers*) and the whole raw material of the globe—is a kind of property unlike any other. The rights of private individuals to something which they did not make, or help to make, but which came to them by bequest or inheritance from people who also did not make it, or help to make it, are a totally different thing from the right of everyone to the product of his own labours and sacrifices, or to the product of the labours and sacrifices of those who freely gave it to him. (*Hear, hear.*) What a man has earned by his labour, or by the expenditure of what has been saved from previous earnings, he has a fair claim to do what he likes with, subject only to the general rules of morality. But he who detains the land—a thing not made by man, a thing necessary to life, and of which there is not enough for all—is in a privileged position. Whether it is right or wrong that he should be in such a position, he is so. He is, in a word, a monopolist (*loud cheers*); and a monopoly should be exercised, not at the mere will and pleasure of the possessor, but in the manner most consistent with the general good; the State has exactly the same right to control it that it has to control, for instance, the railways. (*Cheers.*)

The Land Reformers are of opinion that the time has arrived for the State to re-assert this right, to correct the abuses of landed property, and adapt it better to the wants and interests of the community considered as a whole. How far the modifications should reach is a point on which all Land Reformers are not yet agreed. I need only speak of those which are advocated by this Association.

Without going the length of those who think that the nation should re-possess itself of all private lands, subject to a just compensation, we yet maintain that at least no further appropriation of lands which are not already private property should be permitted. (*Cheers.*) We protest against the conversion of public or corporate lands into private property. (*Cheers.*) Still more indignantly do we protest against any more Acts of Parliament for dividing the common lands of the country among the neighbouring landholders. (*Loud cheers.*) Instead of giving the lands to the rich, and a miserable "pretence" of compensation to the poor, we insist that the lands should be for the poor, and the compensation for the rich (*laughter and cheers*)—compensation for what their manorial and other rights now bring in to them; for the most part a very small value. (*Hear.*) We further maintain that permission to own the land does not necessarily carry with it a right to the increase of value which the land is constantly acquiring by the mere progress of the public prosperity. We affirm that this spontaneous increase of value may justly be taken for the public by means of special taxation. These are the two chief points of our programme:—First, no more land, under any pretext, to become the private property of individuals (*cheers*); secondly, taxation on the land, in order to give the benefit of its natural increase of value to the whole community, instead of to the proprietors, these being allowed the option of relinquishing the land at its present money value. (*Cheers.*)

Let us consider these points one by one.¹

Few persons are less inclined than I am to call hard names; it is generally best, even when we are protesting against an injustice, to protest against it under the most moderate appellation which it admits of. But there are cases when things ought to be called by names which throw no veil over their enormity, and I confess that I cannot speak of the existing practice of dividing the common lands among the landlords by any gentler name than robbery—robbery of the poor. (*Cheers.*) It will, of course, be said that people cannot be robbed of what is not theirs, and that the commons are not the legal property of the poor. Certainly not; our masters have taken care of that. (*Cheers.*) They have taken care that the poor shall not acquire property by custom, as all other ^bclasses^b have done. But if the commons are not the property of the poor, they are just as little the property of those who take them. They cannot make them their property without an Act of Parliament, and they have had no difficulty in obtaining any number of such Acts from two Houses of their own making as often as they pleased, whether the Government was Liberal or Conservative. (*Hear.*) It is only in the last three years that they have been forced, to their own great indignation, to grant a temporary respite, chiefly by the

¹For the first, see Art. VIII of the *Programme of the Land Tenure Reform Association*, in CW, Vol. V, p. 695.

^a—^aDN,DT pittance
^b—^bDN,DT persons

public-spirited exertions of Professor Fawcett² (*cheers*) and of that very valuable body, the Commons Preservation Society.³ The commons are not the private property of anyone. Their history has been written in several recent books,⁴ and should be known to every man, woman, and child. There was a time when much of the land of the country was not appropriated, but was open to all the population of the neighbourhood to feed their cattle, and occasionally to grow corn upon it, turn and turn about, without permanent occupancy. When, for the sake of better agriculture, this system had to be given up, the land ought at least to have been fairly portioned out among all who were interested in it. Instead of this, a great part was usurped with a high hand by the powerful landholders, at a time when few dared resist them; another great part has since been filched away by the successors of the same people, in the more civilized method of Enclosure Acts.⁵ The commons of the present day are what is left. We are willing to condone the past, if they will only leave us the remainder. (*Loud cries of No, no.*) The private rights that exist in those lands are limited rights. The Lord of the Manor has rights, the principal of which is the exclusive right of killing game. The neighbours have what are called rights of common—that is, rights of pasturage, of wood-cutting, of turf-cutting, and, in general, rights to the spontaneous produce of the soil; and those rights have hitherto been sufficient to prevent the land from being enclosed and cultivated.

The question is therefore quite fresh, and open to the judgment of the nation, whether it will suffer these lands to be enclosed and cultivated; and, if at all, for whose benefit? Hitherto, it has been for the benefit of the landlords. The Law Courts hold that none but landholders have rights of common, and that no one else is entitled either to a share of land or to compensation for its being taken away from the people. It matters not though every cottager who had a cow, or a pig, or a goose, may, from time immemorial, have turned them out to feed on the common.

²On 20 April, 1869, Henry Fawcett had moved for a Select Committee on the Inclosure Act (*PD*, 3rd ser., Vol. 195, cols. 1286–7), and the resulting "Report from the Select Committee," 7 July, 1869 (*PP*, 1868–69, X, 327–505) recommended, as he wished, that the annual Inclosure Bill should always be scrutinized by Parliament (p. 332).

³For the activities of this body, on whose Executive Committee Mill sat, see its *Report of Proceedings, 1868–9* (London: printed Grant, 1869), pp. 5–14.

⁴E.g., Charles Isaac Elton (1839–1900), *A Treatise on Commons and Waste Lands* (London: Wildy, 1868 [1867]); Henry James Sumner Maine (1822–88), *Village-Communities in the East and West* (London: Murray, 1871), reviewed by Mill in the *Fortnightly Review*, n.s. IX (May 1871), 543–6; and Erwin Nasse (1829–90), *On the Agricultural Community of the Middle Ages, and Inclosures of the Sixteenth Century in England* (in German, 1869), trans. H.A. Ouvry (London: Macmillan, 1871).

⁵The General Enclosure Acts, 41 George III, c. 109 (1801), 6 & 7 William IV, c. 115 (1836), and 8 & 9 Victoria, c. 118 (1845).

^cDN,DT by other

The Courts are constantly making new law; but they would not make law for that. Yet they could have done so if they liked. They have never had any difficulty in converting custom into law. The bulk of our law consists of customs which have been made law by decisions of the Courts. (*Hear, hear.*) They could just as easily have decided, had they so pleased, that the whole population had common rights as that the landlords had; but they did not so please. In spite of this, however, the commons are not property for purposes of cultivation; and when Parliament, by a special Act, removes the obstacles to their cultivation, Parliament by so doing creates a new and valuable property which has not yet passed into private hands, and which, retained by the State, would be a source of considerable revenue. If Parliament ^dprofess^d to give this property away gratis, is it to the rich that it should be given? (*No!*) To create a valuable property for the rich by expelling the poor from that use of the land for pasturage which they enjoyed in practice, though not by legal right, and along with it from the use of the land for healthful recreation, and from the power of wandering over it at will when they have no other place in which to enjoy Nature except dusty roads—can anything be more like Ahab the King's seizure of Naboth's little vineyard,⁶ or the rich man in the parable, who, with his great flocks and herds, could not be happy without robbing his poor neighbour of his single ewe lamb?⁷ (*Hear, and cheers.*)

I shall be accused, I suppose, of exciting your passions. (*Laughter.*) I am not ashamed of the charge. I want to excite your passions. (*Cheers.*) Without passion we shall never get this great iniquity put an end to. (*Hear, hear.*) Our Liberal Government is as bad on this subject as the Tories (*hear, hear*)—perhaps even worse. (*Loud cheers.*) The passion of the many is needed to conquer the self-interest of the few. (*Cheers.*) That is the proper use of political passion. Its improper use is when it is directed against persons. Great allowance ought to be made for people who merely go on doing what they and their predecessors have long done, and have never until quite recently been told that it was unjust. Let them learn that, without any hatred of them, we stand here for justice. Once take away their power of doing this wrong, and before long their eyes will be unsealed, and they will see the injustice as clearly as we see it. (*Cheers.*)

The other of the two chief points of our programme—the claim of the State to the unearned increase of rent⁸—requires rather more explanation, as it is not yet equally familiar, though the time has already come when it is listened to, and it is probably destined to become an article of the creed of advanced reformers.

The land of the world—the raw material of the globe—in all prosperous countries constantly increases in value. The landlord need only sit still and let nature work for him; or, to speak truly, not nature, but the labour of other men.

⁶I Kings, 21.

⁷II Samuel, 12:1–14.

⁸Art. IV of the *Programme*, CW, Vol. V, p. 690.

^d—^dDN,DT chooses rather

(*Cheers.*) What is it that has produced the prodigiously increased demand for building land, which has created the colossal fortunes of the Grosvenors, the Portmans, the Stanleys, and others of our great families?⁹ It is the growth of manufactures and the increase of towns. And what has produced that? Your labour and outlay; not that of the landlords. (*Cheers.*) The same labour and outlay—namely, yours, not theirs—produces a steady increase of demand for agricultural and mining products, causing prices to rise and rents to increase. No other portion of the community has a similar advantage. The labouring classes do not find their wages steadily rising as their numbers increase; and even capital—its interest and profit—instead of increasing, brings a less and less percentage as wealth and population advance. The landlords alone are in possession of a strict monopoly, becoming more and more lucrative whether they do anything or nothing for the soil. (*Hear, hear.*) This is ‘of little’ consequence in a country like America, where there is plenty of unused land, waiting for any one who chooses to go and cultivate it; but in an old country like ours, with limited land and a growing population, it is a great and increasing grievance.

We want the people of England to say to the landlords, “You are welcome to every increase of rent that you can show to be the effect of anything you have done for the land; but what you get by the mere rise of the price of your commodity compared with others—what you gain by our loss—is not the effect of your exertions, but of ours, and not you (*cheers*), but we ought to have it.” (*Loud cheers.*) They will say, “But we bought our land as a property increasing in value, and the probable increase was considered in the price.” Our answer to that is, “If you are dissatisfied, give up the land (*cheers*); we will pay you back what you gave for it, and even what you could have sold it for yesterday morning. (*No, no, and cheers.*) That is all you have a right to; we give you that, and the nation will gain the difference between the present and future value.” It does not seem to me possible to contest the justice of this arrangement, provided it can be made to work, but many persons think that it would not work. They say it would be impossible to ascertain the amount of the unearned increase of rent. It would be impossible, if we attempted to cut too close. The amount could not be ascertained within a few pounds.

But we do not want to attempt anything impracticable: neither do we wish to be harsh. We are willing to leave an ample margin for mistakes; but we demand the recognition of the principle, that a kind of property which rises in value while other kinds remain stationary or fall, may justly on that account, be subjected to special taxation. When it is notorious that rents have increased, and are increasing, not

⁹The Grosvenor and Portman estates in London increased enormously in value with the growth of the fashionable areas in the West End; the Stanleys benefited from the industrial development of Lancashire.

“DN,DT not of so much

only where there has been improvement by the landlord, but where there has been no improvement, or improvement solely by the tenant, a tax which takes from the landlord no more than that increase is within the just rights of the State. It might be necessary to have a periodical valuation of the rental of the country, say once in ten or once in twenty years. The landlords could easily keep a record of their improvements. Let them retain all increase which they could show to be of their own creating, make a fair allowance for any diminution of the value of money, give them the benefit of every doubt, and lay on the remainder as a tax to the State. If the country continues prosperous, this tax would in time produce a considerable revenue, to the great relief of the taxpayers; while any landlord who thought himself harshly dealt with could avail himself of the option of resigning his land on the terms originally offered—namely, at the price he could have obtained for it before the introduction of the new system. (*Cheers.*)

This is our doctrine of the unearned increment, and you may depend on it that the difficulties which people are afraid of would prove, when fairly faced, to be little more than phantoms. The valuation of land for purposes of taxation is the general practice of Europe; a re-valuation is made occasionally everywhere, and periodically in the greater part of British India. It would only remain to have a valuation of improvements, ^fbut this^f is now acknowledged to be not only practicable, but indispensable, as the basis of a just tenant right. There is nothing a Government can do that does not look frightfully difficult, until we consider how much more difficult things a Government already does. Every attempt to apportion taxation fairly among the different members of the community is as difficult and in its complete perfection as impossible as what we propose. ^gIt^g is far easier than to make a just income-tax, and would not give rise to anything like the same amount of unfairness and fraud. (*Hear, hear.*)

Let us, then, with steady perseverance, continue to spread our principles and we need have no fear that the seed will fall on barren ground.¹⁰ (*Cheers.*) There are many circumstances at the present time to encourage us, and the most encouraging of all, as it is the most unexpected, is the awakening of the agricultural labourers. (*Loud cheers.*) That most neglected, and, as it ^hhas hitherto^h seemed, most helpless portion of the labouring 'population', has risen up, and has found a voice, which can, and which will, make itself heard by the makers of our laws. (*Cheers.*) No class has so direct an interest in the reform of the land system as the farm labourers; it is on State lands that they may hope to see the experiment tried, fairly and on a sufficient scale, of the management of the farm by and for the hands that till it. (*Cheers.*) For the first time, the Land Reformers have the prospect of

¹⁰Cf. Matthew, 13:3-8.

^{f-f}D&D and that

^{g-g}D&D This which we propose

^{h-h}+ DN

¹-DN classes

intelligent support from those who would gain more than any one else by their success. The Agricultural Labourers' Union is a most important ally to us (*hear, hear*); and we, I hope, shall be useful allies to them.¹¹ Already they and we have worked together at several public meetings, and we are working together to-night. But whether there be concerted and organized co-operation or not, whatever is gained by either is a gain to both. We may therefore look forward with full confidence to a rapidly increasing success. (*Loud cheers.*)

[The first resolution condemned the division of common lands among landlords, and opposed the passing of Crown or public lands into private hands, asserting that they should be administered for the general interest and in particular for the labouring classes; it was passed unanimously. A second, opposed to primogeniture, entail, and the system of land transfer, was moved and an amendment in favour of nationalization having failed to obtain a majority in the view of the Chair (though some of its supporters disagreed) was approved. A third resolution, favouring special taxation of any increase of rent not resulting from labour or capital, was carried unanimously. A vote of thanks to the Chair was carried with cheers as the meeting concluded.]

¹¹The National Agricultural Labourers' Union began to form in 1872 under the leadership of Joseph Arch (1826–1919).

FUN.—March 28, 1868.



"Poor Ireland"

Fun, 28 March, 1868, facing p. 28

APPENDICES

Appendix A

The Manuscripts

No. 40. The Westminster Election [2]. Mill-Taylor Collection, II/1/12. It consists of 4 sheets of writing paper, unwatermarked, folded and placed sequentially to make 8 ff., 13.0 x 20.6 cm. Written recto and verso to 7r; 7v and 8r and v blank. Untitled.

No. 50. Representation of the People [2]. Harvard University, MS ENG 1105. It consists of 5 sheets (unwatermarked blue French paper) folded to make 10 ff.: ff. 1-4 and 9-10, 19.3 by 24.5 cm.; ff. 5-6, 20.3 by 25.1 cm.; ff. 7-8, 20.3 by 25.5 cm. Untitled, it is written recto only, except for an insertion on 3v.

No. 67. The Disturbances in Jamaica. A fragment of the manuscript is in Yale University Library, John Stuart Mill Papers, Box 2, MS #350. It consists of the bottom part of a folio, torn across the top and on the left, 20.4 by 12.2 cm., on unwatermarked blue French paper, untitled and written recto only. "Unimp[ortant]" is written at the bottom of recto and on verso in Helen Taylor's hand, and someone has (correctly) pencilled "[1866]" on the verso.

No. 178. Women's Suffrage [1]. Mill-Taylor Collection, Vol. XLI, item 3, ff. 38-47. It consists of 5 sheets (unwatermarked blue French paper), folded to make 10 ff., 20.4 x 26.0 cm. Untitled, it is written recto only, concluding on f. 10r, leaving the bottom 1/4 blank.

No. 179. The Education Bill. Houghton Library, Harvard University, Autograph file A.MS *49M-85, donated by Mrs. Norman Himes, 1949. It consists of 3 sheets folded to make 6 ff., 20.3 by 25.5 cm., on unwatermarked blue French paper, headed in Mill's hand: "Speech at the meeting of the Education League at St James's Hall, March 25, 1870." Written recto only to 5v, except for insertion on 3v; 6r and v blank.

App. F. War and Peace. This fragment is in the Houghton Library, Harvard University, Autograph file A.MS *49M-85, part of the Himes donation. It consists of 2 sheets, folded to make 4 ff., 20.3 by 25.5 cm., on unwatermarked blue French

paper, untitled, written recto only, with only one-half of 2r and two-thirds of 4r covered. Though the fragment is in Mill's hand, on 2r is written in Helen Taylor's hand, "H T. Febr 1871"; in fact the speech is hers.

Appendix B

Questions before Committees of the House of Commons (1866, 1868)

Mill served on only two Select Committees, those on Metropolitan Local Government (1866) and on Extradition (1868). In the following extracts from the reports of the Committees, Mill's questions are in roman type, the responses in italic; the dates of sittings during which Mill asked questions are given, with the numbers assigned to the questions. An indication is given when Mill began the substantive questioning; in these cases it appears the witnesses were "his." Long responses to Mill's questions are summarized in italics within square brackets. Discontinuities in Mill's questioning are signalled by line spaces followed where necessary by linking summaries in italics within square brackets. In both these kinds of summary, the only footnotes are those directly pertinent to Mill's questions. Because answers often seem to stray from the point, some responses will seem at least odd; the summaries attempt to keep as close as possible to the apparent intent of the questions.

The original numbers of the questions are retained to simplify reference to *PP*. Though some questions are more properly assertions, the marks of interrogation are retained to preserve the form.

I. SELECT COMMITTEE ON METROPOLITAN LOCAL GOVERNMENT

"First Report from the Select Committee on Metropolitan Local Government, etc.; together with the Proceedings of the Committee, Minutes of Evidence, and Appendix" (16 Apr., 1866), *PP*, 1866, XIII, 171-315; "Second Report . . ." (30 July, 1866), *ibid.*, 317-628. The First Report covers the Committee's meetings on 9, 12, 15, 19, and 22 March, and 12 and 16 April. (Mill was absent from the first of these, at which no evidence was taken.) The Second Report covers the Committee's meetings on 23 and 26 April, 10, 14 (no quorum, Mill absent), and 28 May, 4, 7 (no quorum, Mill present), 11, 14, 18, 25, and 28 June, and 5, 9, 16, 19 (no quorum, Mill absent), 23, 26, and 29 July. Except as indicated, Mill attended all the sessions.

FIRST REPORT

12 March, 1866

Sir John Thwaites

[The examination of Thwaites, the first witness, was begun by the Chairman, Acton Smee Ayrton, who opened in the traditional way by establishing the credentials of the witness and his view of the main issues. The questioning turned

to the funding of the Board of Works generally, and then specifically to the funding of the main drainage system, it being ascertained that the expenditures on the main drains did not include costs of the new Thames Embankment.]

56. The Embankment itself was constructed from a fund perfectly independent of the 3d. rate?—*Entirely.*

57. What is the degree of progress which has been made in the Low Level Sewer; is it only that part connected with the embankment which has not yet been commenced, and is all the rest of the work in a tolerable degree of progress?—*Yes.*

[Questioning continued on the Embankment, with reference to the limited authority and resources of the Board.]

231. If I understand you aright there is a very small portion of the land within the embankment which will be under the control of your Board, and a very little of it upon which you can build, or of which you can direct the disposal?—*Yes.*

232. How much of the ground within the embankment have you power over?—*For building purposes, I do not think that we have power over any. Any spare land is to be planted and laid out ornamentally, for the benefit of the public.*

233. The Duke of Buccleuch,¹ and any one else to whom the land has been given up, have the power of building upon the land which has been given up to them?—*I do not think that there is any restriction. It is Crown property. We have to give up the land, and, I suppose, build the wall and lengthen the land in each case up to the ground to be reclaimed.*

234. If the Duke of Buccleuch chooses to build upon the property given up to him, he can do so?—*It may be determined by the Crown, of which I know nothing.*

235. Then the question is whether the Crown, if they wish to lay it out for pleasure ground for public resort, must pay to the Duke of Buccleuch the value of it for building ground or otherwise?—*The Duke of Buccleuch is a lessee; the Crown is the ground landlord.*

236. Will this land which is given up to the lessees come within the lease; will they hold it on the same conditions as those upon which they hold the other land, or will they hold it as absolute property?—*I should think that they will hold it upon similar conditions.*

237. Then it will depend upon the provisions of their leases, whether the Crown will require them to give it up without paying the full value of it as building land?—*I am unable to speak with certainty upon that point; that will be governed by the agreement with the Crown.*

238. The Dukes of Northumberland and Norfolk² are not lessees; they are proprietors, and therefore I presume that they will be proprietors of the land which

¹Walter Francis Scott (1806-84), 5th Duke of Buccleuch.

²George Percy (1778-1867), 5th Duke of Northumberland, and Henry Fitzalan-Howard (1847-1917), 15th Duke of Norfolk.

you give up to them?—*We give up no land; we are prohibited from taking any land or property belonging to any of the proprietors named, but the land in front will become dedicated to the public and will not belong to the adjoining owners; it will be taken by the Board.*

239. As respects your prolonging Norfolk-street and other streets, does it extend to more than the roadway; have you power to prolong them as streets with houses on both sides?—*No.*

15 March

John Thwaites, continued

[*Questioning turned to the powers of the Board in relation to Crown property.*]

474. Looking at the property in the metropolis of this country, which is in the hands of the Crown, and which it is admitted is only to be administered by the Crown for the public benefit, do you think that it should be regarded by the Crown as being held for one purpose only, namely, to get the greatest amount of money from taxes, or for the general purpose of public improvement?—*That is rather a question for Parliament than for our Board. I affirm with the greatest confidence that there should be no distinction between the property of the Crown and the property of private individuals. The tendency of this special legislation, is that you are unable to take any of the property without the consent of the Crown. If the effect of the improvement should be to improve very largely the property, the Crown may interpose, and say, "You shall take just so much as you require for the roadway, but we will hold all the advantages and the profit," and thus the Crown will realize an advantage which a private individual will not; and that is the mischief which we find in the working of the principle.*

475. So that the Crown, as trustee of the nation for public purposes, has a greater advantage than a private owner in a matter of public improvement, whereas it ought rather to have less?—*It ought not to have more; that is quite clear.*

[*A number of issues having been raised, Mill started a new series of questions on whether property taxes should fall on occupier or owner.*]

661. I presume that the occupiers of rated property in the metropolis mostly hold that property on the usual leases of 7, 14, or 21 years?—*As a rule, no doubt, some such agreement exists.*

662. And, I fancy, that in most cases they hold under the covenants that all taxation, even new taxation, and even what are considered as landlord's taxes, shall be borne by the occupier?—*Yes.*

663. So that during the currency of those leases any new local rate falls upon the occupier?—*Yes.*

664. How would it be after the expiration of those leases; in your opinion, would the burthen then be thrown upon the owners of the houses?—*Yes; unless the obligation were renewed by fresh covenants with the fresh tenants.*

665. As regards the burthens which now fall upon the occupier during the currency of his lease, do you not think that at the expiration of the lease, in the grant of a new lease these burthens would be taken into consideration in fixing the rent, so that the subsequent rent of that property would be reduced to the extent of the increased burthens?—*It is so in theory, but it is not so in practice.*

666. How do you account for that?—*[After citing an example of unequal agreements for house rentals, Thwaites concluded:] while it appears in theory to be reasonable that the landlord would reduce the rents in proportion to the obligation which he casts upon the tenant, it is not so in practice, the tenant undertakes to bear those burthens, and in point of fact pays those rates out of that which is part of his own profit, and he does not get a proportionate reduction, in consequence of the obligations under which he places himself by these covenants.*

667. But do you not think that although particular tenants neglect the needful care of their own interests in that respect, yet upon the whole, when a person takes a lease of certain premises, he considers what he can afford to pay, or what it is to his advantage to pay, and that if he is of opinion that he is more heavily burthened than he would be in another part of the town, he will require to pay less rent than he might be content to pay if he lived elsewhere?—*The question is not what he can reasonably afford to pay, but what property of the same capacity, and the same value will fetch; he may be paying out of what should be his accumulating income.*

668. If he is considering what house or premises he shall rent, and is not taking into account the inconvenience of leaving the premises which he already occupies, but is taking premises for the first time, will he not calculate the whole of the annual cost devolving upon him from taking those premises; and will he not, if the rates are heavier, require that the rent shall be in the same proportion lower?—*It is not so much a question of individual calculation, as to whether the house will serve the person's purpose; that consideration may involve several elements; first, it may be convenient for his trade and his connection, and a variety of matters may induce him to give more than the market value of the house; but in order to determine the question, we must consider the fair value of the house for the purpose of ascertaining the natural rent of the house.*

669. Some persons in some businesses may be obliged to live in a particular neighbourhood, and therefore may not have it in their power to relieve themselves from heavy rates by taking any other house; is that your meaning?—*That frequently occurs, and as the result you have an unnatural rent imposed upon the party, because he is unable, without injury to his business or profession, to remove from that particular locality, and hence occasionally landlords take advantage of tenants under those circumstances, and charge an unnatural rent; that is to say, a rent which the premises themselves would not command in the ordinary market.*

670. Supposing that the rates were suddenly reduced in that neighbourhood, would not the landlord be able to take the same advantage of the conveniences which the situation of the premises affords to a person in that particular business,

or to persons in business in general, and thus add to the rent the amount which would be saved by the reduction of the rates?—*I am not able to answer that question.*

671. Even in those parishes which are most heavily rated, is it not the fact that rent is constantly rising in the same manner as elsewhere; and that after the expiration of any lease there is every chance that the proprietor of a house in those parishes will be able to obtain a higher rent for it than he has obtained before?—*[After agreeing that the general increase in value would benefit the owner, Thwaites argued that an agreement by a tenant to pay the sewer rate in 1854 would entail continuing to pay at an increased amount because that rate had come to include the improvement, formation, and widening of streets, and concluded by asking:] why should this large proprietor, who has entered into a bargain with his tenant in 1854, have all those reversionary advantages without contributing one shilling towards the improvement which has been carried out?*

672. Is it not your opinion, that notwithstanding any amount which might be laid upon the occupiers for the purpose of defraying the expense of any probable amount of metropolitan improvement, the rental of that property progressively rises as it does elsewhere?—*No doubt; and it sometimes occurs that even a higher rent is demanded for a lease, because the property is tied up, and the proprietor is deprived of the gradual improvement of the property, supposing that he anticipates such an improvement; but immediately the property is released from that obligation, we assume that he realises the fair market value of that property.*

673. So that notwithstanding the great inequality of rates in regard to parts of the metropolis, even in those parts where the rates are heavy, the value of the property is still rising, quite independently of any outlay of the proprietors themselves, but merely from the general increase in the value of property in the metropolis?—*It fluctuates from time to time. I believe that just now property is increasing in value, but there are times when the reverse is the case, and when property is depressed.*

674. Is not the general tendency of the improvements which are being made, to increase the value of property?—*No doubt the tendency in the metropolis is in that direction, and especially in prosperous times the result would be felt in a demand for property; and there is a greater demand for property.*

675. So that although an injury results from the amount of the rating in particular parts of the metropolis, and although during the existence of the leases the occupiers suffer because of the inequality of the rating, yet the owners of the property in those heavily-rated districts gain an advantage, not as the result of their own exertions, but from the general circumstances of society; but it does not accrue to them quite so fast as it does in other districts, and although the value of property is increasing everywhere, yet it does not increase so rapidly as in the districts which are low rated; is not that the amount of the grievance?—*No; I do not see how that affects the question which I have raised. You have a general increased value of property arising from a variety of causes; first, the increase of population,*

and secondly the prosperous condition of trade; all these things have a tendency to drive up the value of property, and the reverse circumstances have a tendency to depress it; but that does not touch the real question.

676. It is understood that this does not affect the question of the incidence of the rate on the occupiers during the currency of leases, and that during this time any new burthen imposed for metropolitan improvement falls very unequally on different parts of the metropolis—that is admitted; but after the leases have expired, supposing that the burthen then comes upon the landlords, it of course falls on them very unequally, but still the amount of what they really suffer is not a loss, but merely that they do not gain quite so much from the progress of society as landlords in other parts?—*But we assume, as a starting-point, that we have an equality of assessment.*

677. I am referring to the state of things under the present system?—*I have already stated, and I repeat that statement, that I believe that the metropolis is not properly assessed, and that great inequality exists. I propose that that should be set right by some machinery, but when set right, there would still be the difficulty left which I have named.*

678. To pass to another subject, namely, the manner in which the local disbursements of Paris are regulated, is it not the fact that in the other towns of France and in the Departments also, with the exception of Paris, the municipalities or the departments are authorised to raise, for municipal or departmental purposes, what are called centimes additional; so much per cent. on the amount of the four direct contributions which are raised for Imperial purposes in those municipalities or departments?—*I believe so.*

679. And a provision is included in the annual Budget of the State which every year authorises the municipalities to raise, for municipal purposes, a certain per-centage and no more, upon the amount of the direct taxes of the municipality?—*I believe so.*

680. Therefore the advantage which Paris has in receiving a proportion of the Imperial taxation for municipal purposes, is to a certain extent shared by the whole of France?—*I believe so.*

19 March

John Thwaites, continued

[The questioning turned to local subventions by the central government, and its liability to local taxation.]

927. Are you aware that by the French law, national property, and crown property especially, of all sorts, is exempt from taxation to the national account, but is subject to all local taxation?³—*I so understand it.*

³The legislation covering taxation, following on the crown lands' becoming national property, is found in Instruction de l'Assemblée nationale sur la contribution foncière

928. Do you not think that that is a just distinction?—*I think that it is; if that property were not so exempted, it would be merely receiving with one hand and paying with the other.*

Thomas Henry Fry⁴

[*Fry's opinion was sought on the increased value of property bought (and some re-sold) by the Corporation for the Holborn improvements. He referred to the Corporation's having based the increase in re-sale values on a higher estimate than that in the purchase prices.*]

985. It was calculated upon a continuously progressive rise in the value of the property?—*It has been so up to the present time; where it is to stop, of course I cannot say.*

William Corrie⁵

[*Questioning centred on the right of the City of London to expend monies raised by taxation for whatever purposes it wished.*]

1124. Is it your theory that a public body can be authorised to levy a tax, whether local or general, for their own benefit?—*The Corporation of the City of London have carried on various works from time to time, and they have applied this money not for their own purposes, but for public purposes.*

1125. Do you think that it can be applied to any but public purposes?—*As a lawyer, I hold that the Corporation, if they are disposed so to do, can apply it as they please. There is nothing to prevent them from doing it, but it never has been done.*

22 March, 1866

Benjamin Scott⁶

[*The issue of expenditure by the City of its coal tax (4d. per ton), raised during the examination of Corrie, again occupied the Committee's attention.*]

1494. Was that duty of 4d. in the Port of London ever levied by the Crown for its own benefit?—*The Charter of James recites that the Corporation had always possessed the right, and confirms the grant of the 4d. duty.*⁷ *Therefore, the charter*

(22 and 23 Nov., 1790), *Lois, et actes du gouvernement*, II, 183-221; *Loi relative aux domaines nationaux, aux concessions et échanges qui ont été faits, et aux apanages* (1 Dec., 1790), *ibid.*, 163-73; and *Loi concernant la contribution foncière* (1 Dec., 1790), *ibid.*, 178-83.

⁴Member of the Common Council of the City of London, and Chairman of the Holborn Valley Improvement Committee.

⁵William Corrie (1806-81), solicitor and barrister, Remembrancer of the City of London from 1864.

⁶Benjamin Scott (1814-92), Chamberlain of the City of London from 1858.

⁷"*Quo Warranto—3 James I*" (20 Aug., 1605), App. 3 to the *Second Report of the Select Committee on Metropolitan Local Taxation* (1861).

assumes that the Crown had an ancient right from time immemorial, and that it had been anciently granted to the City, and it confirms it in the reign of James I, when there had been some dispute as to the rights of the City and the Crown.

1495. But the Crown had never exercised the right for its own benefit, had it?—*Not within recent or modern times; but the grant assumes that it was a right of the Crown in ancient times. I have the words of the charter here, if the Committee like to see them.*

1496. I presume that the Crown claimed a right to levy taxes at that time without the consent of Parliament?—*I think that at that time the Crown did exercise its powers in a way in which they would not be exercised now; but it is a right of property acquired in those times, like all other property which has come down from those times.*

1497. So that the Crown claimed a general right of property in a tax, of which right of property it had never had the beneficial exercise within the memory of man?—*Not within recent times.*

1498. So that it was by construction of a general prerogative of the Crown, that it was supposed that what the Crown conceded or confirmed to the Corporation had previously to that belonged to the Crown?—*Yes; I should state that Charles II seized the charter, and subsequently exercised the right himself for several years; but that an Act of Parliament was passed confirming all those charters to the City in the reign of William and Mary, and stating that the City ought not to have been interrupted in the enjoyment of those rights.*⁸

SECOND REPORT

23 April

*James Beal*⁹

[After the Chairman had established Beal's credentials, the questioning was begun by Mill, who undoubtedly had arranged that Beal be a witness.]

1764. How long have you been a member of St. James's vestry?—*With a brief exception, since the passing of Sir Benjamin Hall's Act, the Metropolis Local Management Act, in 1855.*¹⁰

1765. I think the Metropolis Local Management Act transferred to the vestries the separate powers vested in the separate local boards previously to that time?—*It did.*

⁸William and Mary, Sess. 1, c. 8 (1689).

⁹James Beal (1829-91), land agent and auctioneer, and one of Mill's most active political supporters.

¹⁰18 & 19 Victoria, c. 120. Sects. 67-134 outline the vestries' powers. Benjamin Hall (1802-67), later Lord Llanover, introduced the Act in the Commons. Shortly thereafter he became Chief Commissioner of Works for London.

1766. You have carefully watched the operation of the Act in the vestry of which you are a member?—*I have.*

1767. How do you consider it has been carried out?—*As a whole, very imperfectly on the part of the elected authorities. If tested on the question of their works, under the head of sewage, roads, and paving, I think the sewage works entrusted to the vestries not under the control of the Metropolitan Board of Works will be found to be in a most defective state; and I believe their roads and paving to be equally defective.*

1779. Will you give a brief summary of the powers of local government which are vested in the vestries under the Metropolis Local Management Act; in short, the powers that they do actually exercise?—*To them is entrusted the lighting, paving, and cleansing of the streets, the local sewerage, certain powers under the Diseases Prevention Act, and the Metropolitan Gas Act of 1860, and the Adulteration of Food Act, some powers under the Common Lodging House Act, and the general sanitary regulations of the district committed to their care.*¹¹

1780. And the members of the vestry are selected by the ratepayers, are they not?—*Yes.*

1781. Are they elected by plural voting or by single votes?—*Single votes.*

1782. Of what class of persons do vestries generally, in your experience, consist; are they different in different parishes?—*As far as our own is concerned, the majority are small tradesmen, in the back streets of the parish. We are divided into four wards: Church Ward, Pall Mall Ward, Marlborough-street Ward, and Golden-square Ward. In three out of these four wards the members, as a whole, consist of small tradesmen; Church Ward has some five or six leading men of the parish, but the rest are men little known to the great body of the ratepayers. There are 50 vestrymen in our parish.*

1783. The number is much larger in some parishes I believe?—*Yes; in St. George's it is 120, in Marylebone 120; and their wards are of course more numerous than ours.*

1784. There is a great variety, I suppose, in the character of the members of vestries in the different districts of the metropolis?—*They vary entirely with the character of the population of the district.*

1785. How are these powers, in your experience, generally administered?—*Always with too great a regard to economy; efficiency is always sacrificed to economy. If an Act of Parliament requires them to do certain things, it is as a rule avoided. I refer especially to the Sanitary Acts,¹² to the Adulteration of Food Act,*

¹¹18 & 19 Victoria, cc. 116 and 121 (1855) (Diseases Prevention); 23 & 24 Victoria, cc. 84 and 125 (1860) (Food and Gas); and 14 & 15 Victoria, c. 28 (1851) (Lodging Houses).

¹²Chiefly the Nuisances Removal and Diseases Prevention Acts, 18 & 19 Victoria, cc. 116 and 121.

and to the Metropolis Gas Act, in each of which cases the powers entrusted to them have not been carried out.

1786. These are all permissive Acts?—*In some sense permissive; but there have been peremptory powers which have not been carried out by the vestries, particularly in relation to the Metropolis Gas Act.*

1787. Have the vestries any power in regard to the licensing of public-houses?—*They have not; that rests in the first place with the magistrates of petty session, and by appeal to the magistrates in quarter sessions in the county of Middlesex or other metropolitan county.*

1788. How is that power exercised?—*We had reason to complain some years since that licenses refused by our local magistrates were granted on appeal by the Middlesex magistrates. It was fully gone into in my evidence before the Committee in 1861, in reference to the Argyle Rooms, and one or two other cases I then mentioned.¹³ Great objection exists on our part to the Middlesex magistrates having that control. We believe it is a matter which, if our local administration were more municipal, should be entrusted to the local administration.*

1789. In regard to the local magistracy, the magisterial powers are divided, I believe, between the Middlesex magistrates, and the police magistrates appointed by Government?—*The criminal jurisdiction is in the hands of the stipendiary magistrate appointed by Government; the civil jurisdiction,—licensing slaughter-houses, cow-houses, public-houses, and billiard-rooms, is in the hands of the magistrates in petty session, who are appointed, I believe, by the Lord Lieutenant of the county.*

1790. These powers you wish to have transferred to a municipal administration for Westminster?—*I should.*

1791. Have you any remarks to make on the mode of election to the Metropolitan Board?—*I expressed my opinion in 1861,¹⁴ which subsequent experience has confirmed, that the present mode of election is bad, and that instead of being a filtration from the vestry, it should be direct from the ratepayers. I think when our annual elections take place, the inhabitants should elect their member to the Metropolitan Board at the same time that they elect their members to the vestry.*

1792. So that what you wish would be a municipal administration for the different districts of the metropolis separately, and a general administration elected like the others by the ratepayers, for the administration of the affairs which concern the metropolis as a whole?—*Yes. My opinion is that the whole of the metropolis should be divided into a series of municipalities, and that these municipalities should be mainly co-extensive with the Parliamentary districts, as*

¹³See his evidence given to the Select Committee on Metropolis Local Taxation, PP, 1861, VIII, 139-64, esp. 153.

¹⁴*Ibid.*

*proposed in the report of the Commissioners reporting on the Corporation of the City of London, 1854;*¹⁵ *that where Parliamentary districts do not run, districts should be assigned to them; that the local municipality should have the control of all the works and powers now entrusted to the several vestries within those districts; that from these there should be formed a metropolitan council composed of members of the several local municipalities, to whose hands should be entrusted the whole of the work now done by the Metropolitan Board, the whole of the work now done in the metropolis by the magistrates of Middlesex, Surrey, Kent, and Essex, much that is done by the City of London, and (although it is perhaps idle to ask it) all that is done by the Commissioners of Police; I think that should be transferred to us as part of the legitimate local powers of the municipality of the metropolis.*

1793. In that case, you would transfer to the proposed metropolitan council, some of the powers which are at present exercised by the City Corporation within the jurisdiction?—*The City is a county in itself, and I would make the metropolis a county in itself, and all the special powers which, as a county, the City exercises, I would transfer to the general metropolitan council. The control of gaols, lunatic asylums, and courts of justice, being special powers which the City exercises by virtue of its being a county by itself, I would transfer to the general municipality.*

1794. Will you briefly recapitulate the powers that you would take from the City and transfer to the metropolitan council?—*It would preserve all its own municipal action within its own boundary, but the control of gaols, lunatic asylums, and bridges, wherein it acts as a county by itself, would be transferred to the general municipality; it would be reduced to one of a series or congeries of municipalities in the metropolis.*

1795. What would you have done with the fire brigade?—*I would place it under the general metropolitan council, as it has been already placed in the hands of the Metropolitan Board.*¹⁶

1796. And the water supply, so far as it is a municipal matter, would devolve on the general body?—*[After asserting that the gas companies should come under the general municipal council, Beal continued:] As regards water, I think that is a matter purely for municipal action. I think that the Act of 1852,*¹⁷ *has not been carried out by a single vestry, they are too weak to carry it out, and that the companies are too powerful in the interests arrayed against the vestries, and that only a large and powerful corporation can adequately represent the public interest, and protect it in reference to the supply of water.*

1797. There is another subject which has excited of late a great deal of attention, namely, legislation with regard to the admission of railways and railway stations

¹⁵See No. 93, p7.

¹⁶By 28 & 29 Victoria, c. 90 (1865).

¹⁷15 & 16 Victoria, c. 84 (1852).

into the metropolis. That, so far as it was municipal, and not parliamentary, would, I presume, devolve upon the central body?—*Clearly. At present we are to a certain extent represented by the Metropolitan Board, on the question of the introduction of railways into the metropolis, but, I think, before they are submitted to Parliament, as a rule, the local authorities should express their opinion definitely, by a special report, like that which the Board of Trade presents to the House, upon the advantages or disadvantages which the lines of railway present in the district which they represent.*

1798. The Metropolitan Board of Works would be absorbed into the new general municipality which you propose to create?—*Yes, it would be enlarged; it would be elevated; instead of being a semi-municipality, which it is at the present moment, its character and tone would be improved; its area would be the same, but its powers greatly increased. Instead of being a mere Metropolitan Board for certain definite works, it would be a metropolitan council representing the whole metropolis for certain great ends, in which the interests of the whole people are identical.*

1799. In all probability, in the first instance, it would be composed in a great degree of those who now compose it, in consequence of the experience they have acquired, and the qualifications they have shown?—*Certain members of the Board would be sure to be returned, being men of eminent qualifications, and deservedly enjoying the confidence of their constituents.*

1800. So that the plan is not at all brought forward in any spirit of hostility either to the Metropolitan Board or to the City of London?—*No, in the interests only of the municipal principle, feeling that the whole metropolis should have the same municipal powers as those which are entrusted to Manchester, Liverpool, Glasgow, Dublin, and other large towns in the kingdom, of which we are sadly deficient. I may add, that our vestry has always been most anxious upon this question, and has presented memorials to the Government. One of these was printed in the Appendix to the Evidence in 1861,¹⁸ and since then, upon all occasions where we could enforce our views, we have expressed them to Government, that it was desirable that municipal powers should be extended to the whole of the metropolis.*

1801. Latterly, several other vestries have joined with you in this movement?—*Latterly, we had a meeting in consequence of a letter from Sir George Grey to the Metropolitan Board, and we had delegates present from St. James's, Chelsea, Shoreditch, Clerkenwell, Camberwell, St. Pancras, Lambeth, and other parishes in the metropolis; and they agree on a report expressing their views in favour of the idea to which I have directed your attention. That report I propose to hand in.**

¹⁸“Memorial to the Home Secretary, from the Vestry of St. James,” App. 1 to “Second Report of the Select Committee on Metropolis Local Taxation,” 321-2.

*The Report was delivered in. — Vide Appendix. [“Report of a Meeting of Delegates,” in App. 9 of the present Report, 616-18.]

1802. Do you propose to interfere with any of the powers now exercised by the boards of guardians?—*We have not proposed that; but I think that recent experience will support the opinion, that it would be desirable to consolidate the management of the poor as well as the ordinary municipal work under the same organization; that it should be entrusted to the municipality; and that boards of guardians, like vestries, should be consolidated; in fact, removed. They do not, as a general rule, represent the intelligence or property of the constituents, and they are nominated again by vestries; it is a filtration of power, and does not come direct from the ratepayers.*

1803. I presume that you would generally adopt the municipal districts as poor law unions?—*I would.*

1804. The boards of guardians have had various powers entrusted to them, chiefly because there were no other authorities to whom they could be entrusted, by virtue of special Acts of Parliament; as in regard to vaccination?¹⁹—*[The authority lies in the wrong hands; it should be given to the Registrar General. Then it would be possible to have registration and subsequent following-up of every case, until vaccination was completed.]*

1805. You think that vestries are indifferent to making any use of the powers entrusted to them by Act of Parliament, if they find that increased expenditure would be necessary for the purpose?—*I do, and I will give you an instance. Ten years ago, I moved in our vestry for a return of the bore, size, and state of repair of the sewers of the parish. This was duly completed by the surveyor. He has occasionally made urgent reports as to the disgraceful state of the sewage, particularly in reference to Regent-street, a thoroughfare, of course, in which every care should be taken that there should be perfection in all our details; but it now appears that in consequence of past neglect, we must lay out some £20,000 in the repair of our sewers, totally independent of the sewers of the Metropolitan Board of Works, in that street.*

1806. The vestry is the only existing authority which has any power over those sewers?—*In our district, the only existing authority.*

1807. So that, properly speaking, that very important part of the police of the districts is entrusted to these numerous and small local bodies?—*Yes.*

1808. Do you consider that there are any considerable disadvantages attaching to the multitude of these authorities and the great sub-division of jurisdiction?—*In Westminster, the disadvantage is greater than in any other portions of the metropolis. We have, with the same population as the parish of Marylebone (not the borough), collecting the same amount of rates, nine separate jurisdictions, while Marylebone has only one; and it is a special defect in Westminster that such is the case.*

1809. There has been a good deal of mention made of the division of St.

¹⁹By 3 & 4 Victoria, c. 29 (1840).

James's-street between two parishes, right down the middle?—*[There has been no resolution; as a result there are such anomalies as that] in Piccadilly, from Burlington Arcade to the corner of St. James's-street, one side is macadamised, while the other side is pitch-paved.*

1815. I understand that the parish of Marylebone has a population equal to that of Westminster?—*All Westminster.*

1816. And that parish has only one vestry. The whole local administration of it, therefore, is in the hands of one body?—*It is so.*

1817. Have you any personal knowledge of the way in which the parish of Marylebone is administered?—*I only refer to it, presuming that it is much the same as the rest of the metropolis, but I allude to it especially as to the cost of government. With our nine jurisdictions we pay £17,462 in salaries, whilst Marylebone pays £7,711 only, each of us collecting in our own rates precisely the same amount of money.*

1818. Is it within your knowledge that the local administration in Marylebone is better than that of the separate districts of Westminster; that the Acts of Parliament, for instance, are administered more efficiently, and there is not the same reluctance shown to incur expense for the purpose of carrying them into effect?—*No; I presume the same characteristics will be found generally throughout the metropolis.*

1819. So that, in your opinion, the extent of a parish, of even the largest parish in the metropolis, is not sufficient to remove the circumstances which cause the imperfect working of the present local administration?—*I do not think size has anything to do with it. I think there is no dignity conferred upon any individual by electing him as a vestryman; consequently, the more respectable or propertied class decline to share its burdens or its honours, if there be any; and, if a total change was made and municipal institutions were introduced, we should have a totally different class of persons seeking the suffrage of the constituencies.*

1820. You think that an enlargement of the district from the parish of Marylebone to the Parliamentary district of Marylebone would be sufficient to have that effect?—*I do.*

1825. Do the vestries of these separate parishes exercise any municipal administration at all, or do they abdicate entirely in favour of the board they elect?—*They simply meet to elect the members of the municipal board.*

1826. What are the duties of their vestry clerks?—*They are difficult to define; they merely summon the vestry twice or three times a year, but still a vestry clerk exists.*

1827. They have powers, I believe, in connection with the parish church?—*No; that is a totally different thing. The meeting in the parish church is summoned at Easter to elect churchwardens. It has no other authority. It expires immediately.*

1828. Have they no powers in connection with the Poor Law Administration?—*No, that is entrusted to the board of guardians.*

1829. So that they exist chiefly as electoral bodies?—*Yes; electoral colleges.*

1830. It is a kind of second stage of election?—*Yes; that only refers to the small vestries, to which you have drawn my attention.*

1831. Since there is so much reluctance to incur expense for enforcing Acts of Parliament where there is any option, and even sometimes where there is not; that would naturally make itself most of all felt, or in no case more than in the case of the Sanitary Acts?—*Clearly.*

1832. What is your opinion as to that?—*[In spite of his efforts, no money is voted for measures pertaining to public health, just as none was voted for the equipment necessary under the Metropolis Gas Act. While the Adulteration of Food Act] has been nominally complied with inasmuch as a person has been appointed, [he has not the means to carry out his duties.] Both the Adulteration of Food Act and the Metropolitan Gas Act are dead letters in our parish.*

1833. Naturally if local officers of health find that their recommendations are not attended to, they are not so much disposed to make recommendations as they would otherwise be?—*No. They checked the zeal of our medical officer, Dr. Lankester,²⁰ whose salary was £200. a-year, by reducing it to £150. after a year or two when they found he was very earnest in his work, since which time he has contented himself with making a fortnightly report, and being less active in the discharge of his duties.*

1834. Will you give a general idea of the way in which you would compose the municipal bodies for separate districts of the metropolis?—*Do you mean as to the qualifications of the council?*

1835. All particulars that would be embodied in a Bill for the purpose, so far as relates to the composition of those bodies?—*A Bill has been drafted based entirely upon the Municipal Reform Act general throughout England. It was felt that the first step in the matter was simply to confer upon the metropolis, if Parliament should think fit, municipal powers; that no innovation should be attempted, but that the existing powers should simply be applied to the metropolis.*

[In reply to a question from the Chair, Beal indicated some of the provisions of the Bill, including the suggestion of boroughs not based on the parliamentary boroughs, such as the merging of Hammersmith, Kensington, Fulham, and Chelsea, and forming a Borough of Bloomsbury out of a portion of Marylebone, the Parish of St. Pancras, a part of Finsbury, and all that district running through Holborn up to St. Pancras.]²¹

²⁰Edwin Lankester (1814-74), Medical Officer of Health for St. James's parish from 1856.

²¹See Schedule A of the Bill.

1837. What is the particular reason for interfering with existing boundaries in that case?—*Mr. Horton, who will be called, can thoroughly explain it, and the chief of the Statistical Department of the Registrar-General has also offered to give evidence. It was a suggestion in reference to the performance of the duties of his office for the purpose of obtaining accurate statistical details of each and every district of the metropolis. Another suggestion was that the Borough of Tower Hamlets should be divided into two for municipal purposes, called the Borough of Hackney and the Borough of Tower Hamlets, the northern portion of the borough and the southern.*

1838. Has it occurred to you to include the West Ham district in the Tower Hamlets previous to the sub-division, so as to make two boroughs out of the Tower Hamlets and the West Ham district combined?—*West Ham I think is not within the metropolitan municipal district.*

1839. But it is understood that that district wishes to be included?—*Powers should be conferred, I think, upon the outlying parishes of the metropolis, enabling them by the vote of their own parish and the adjoining district to form extended municipal districts, as the growth and wealth of the district entitle them to those advantages.*

1840. Have you anything further to state about the contents of the proposed Bill?—*No, I think not; we propose to adhere exactly to the old idea of a Mayor, Aldermen, and Common Council; of course it would be very easy to have suggested alterations or amendments, but we felt that those would come better afterwards, so that we might not be charged with any particular innovation in introducing the matter at present. We felt it was desirable to be conservative in the matter, simply adhering to existing Acts of Parliament, and clothing ourselves with existing powers.*

1841. You mean that there would be a mayor and aldermen for each borough?—*Yes; just as at Manchester and Salford, and Liverpool and Birkenhead.*

1842. Do you think that the existence of mayors and aldermen for the separate districts would have a tendency to induce persons of a higher class than the present vestrymen to accept office?—*I do; I believe it would clothe a man in the district with social distinction, and would be an honourable object of ambition to fill the office of mayor of a large wealthy district like Westminster, Southwark and Marylebone; equally so that he should be an alderman of some district. I think that we should get a class of men to take part in the municipal administration of affairs who at present stand aloof.*

1843. Is there not some difference of opinion whether the office of alderman, for instance, in the metropolitan district, would be attractive to a higher class of persons than those who at present serve?—*There is some difference of opinion about it, but I have taken every precaution to make inquiries, and to ascertain the views of others. I find that whilst it is looked upon as a sort of fifth wheel of a coach,*

yet it is very desirable to have it as a social distinction, conferring a mark of position to a certain extent upon the man who is elected to the post.

1844. You will perhaps hand the Bill to the Committee?—Yes.†

1845. This I believe comprises only one-half of the plan, inasmuch as it relates only to the separate municipalities, and says nothing about the proposed general local government of the metropolis, and does not interfere with the existing powers of the Board of Works, but leaves them as they are?—*The Metropolitan Board of Works and the City are excluded from the first Bill, the object being simply to clothe the metropolis with municipal powers.*

1846. Therefore the remainder of your plan will be embodied in another Bill?—*In a second Bill, by which I propose to form a Metropolitan Council. That is to say, extending and enlarging the Metropolitan Board, and giving to it the whole powers of the Middlesex magistrates exercised in the metropolis, and all powers of some 700 or 800 magistrates for the several counties of Kent and Surrey.*

1847. Do you expect that it will be ready in time to hand in to the Committee?—*Yes, I should think it would be ready within a fortnight.*²²

1848. Will you give us some idea, as complete as you can, of what would be the contents of the other Bill?—*[In addition to perpetuating all the powers of the Metropolitan Board, it would extend them by adding all those not given to minor municipalities, and all those of the Middlesex magistrates over roads, bridges, gaols, and lunatic asylums. In addition it would include courts of justice for the whole metropolis, with a central court trying every case affecting inhabitants of the municipality, and jury selection would be improved.]*

1849. Licensing powers you mention that you do not include; I presume you would leave them to the separate municipalities?—*To the local municipalities.*

1850. The fire brigade, the water supply, and the arrangements as to gas?—*I should leave them all to the general municipality.*

1851. Have you consulted with many persons with reference to those plans, do they represent the opinions of any considerable body of persons in the metropolis?—*A very large, a very growing mass of persons have expressed their perfect accord in the principles of the scheme, whilst objecting to certain details. For instance, some of the electors of Finsbury very strongly expressed a difference of opinion as to the propriety of taking out any portion of that borough and creating a new borough for municipal purposes, while we have no such intention as regards parliamentary purposes. It is open to that objection, but we felt that the*

†A copy of the Bill was delivered in.—Vide Appendix. [“A Bill Intituled ‘An Act for the Establishment of Municipal Corporations within the Metropolis,’” in App. 9 of the present Report, 619-28.]

²²It was not printed in the Appendix. The bill for a central municipality that Mill introduced in the House of Commons in 1867 was based partly on Beal’s model (see No. 82).

scheme suggested had been so thoroughly considered that it was worth while to ventilate it as we have done.

1852. It is no essential part of your plan, even if it should not be proceeded with?—*It will not affect the general principle; it is simply a detail.*

1853. You were honorary secretary of the Gas Enquiry Committee in 1860?²³—*I was.*

1854. That would give you considerable means of judging as to the action of vestries other than your own?—*[That position gave him experience of the vestries' failure to comply with the requirements of the resulting Act, and persuaded him that a major change was needed in governance of the metropolis.]*

1855. Do you think that the failure of the vestries is most to be ascribed to inattention, or to a false economy, or to the inferior calibre of the persons composing the vestries?—*To the inferior calibre of the persons composing the vestries; they agree to resolutions but do not carry them out. I could present you with a series of resolutions, that I proposed to put in force in 1860, which were carried, but from that hour to this nothing whatever has been done in reference to them. It was after the Act had passed, and feeling that we should meet the Companies at once upon the best possible terms, that I endeavoured to secure all the benefits which the Act proposed, and the resolutions were carried, but nothing has been done.*

1856. In such numerous bodies as vestries I presume the attendance is not very constant on the part of most members?—*No. A little patronage to be given away would secure very large attendances of the vestry, but the discussion of a very important question, unless affecting some local interest, would make no difference whatever. The ordinary attendance would be limited to perhaps 18 or 16, or 15 out of the 60.*

1857. Are those 15 or 18 usually the same persons, or do they vary?—*Nearly the same persons. There may be slight varieties, so that in the course of the year one man has his name down three or four times, and another five times, but substantially the same persons attend.*

1858. So that the powers of the vestry, although nominally exercised by a considerable number, really reside in a comparatively small number, who are not specially responsible for the power which they thus exercise?—*That is true. The men who have the most leisure are the men who attend. The busy men, like the tradesmen in Regent-street and Piccadilly, cannot give the time, or they object to the interminable discussions which take place. They go away and take no part in the business.*

1859. Probably, then, those members of the vestry in whom the ratepayers would have the most confidence are those who really interfere least in the administration?—*That is a fact.*

²³See "Report from the Select Committee on the Gas (Metropolis) Bill," *PP*, 1860, XXI, 29-428. The resulting Act was 22 & 23 Victoria, c. 125.

1860. You gave evidence before the Committee on Metropolitan Taxation some years ago?—*In 1861.*²⁴

1861. To the same effect as the present?—*Yes.*

1862. The main principles of your scheme you started then?—*I did.*

1863. Has any change taken place in your views since?—*I have seen no reason to change my opinions.*

1864. Naturally your scheme is more matured?—*Yes; my opinion has grown, and it has become matured in my mind as a thing I think essential to the government of London.*

1865. Turning to the subject of the Railway Bills, how do you consider that the vestries on the one hand, and the Metropolitan Board on the other, carry out that part of their duties which relate to Railway Bills?—*[The moot question as to their right to use rates for the employment of counsel to represent municipal interests concerning railways should be resolved, so that London could do what Liverpool and Manchester already can do.]*

1866. In most questions vestries could not be expected to take an enlarged view of the subject. For instance, with regard to Metropolitan Railways where the interest of the metropolis has to be considered, or at any rate a large portion of it. But if there were a general metropolitan Board and municipality for the whole metropolis, you would say that all railway schemes affecting the metropolis should be regularly reported on by that Board before they could be introduced into Parliament?—*[The Metropolitan Board or Council should have the authority necessary to care for the general interests of the populace.]*

1867. What are the advantages, in a financial point of view, that you think would arise from the consolidation of the present small division into a large one?—*Take the illustration which I have given of the salaries in Marylebone with one local action, and those in Westminster, with several, and the enormous extra expense in Westminster compared with Marylebone, my belief is, a large saving in expenditure would result from the consolidation of the several vestries in the metropolis. A great reduction in salaries; and, I believe, an improved system of collection of rates could be inaugurated if greater power were exercised in the matter.*

1868. Is there not a large portion of the business of local administration anywhere, especially in so great a body as a metropolis, which requires individual responsibility and which can only be done effectually by paid officers, who, therefore, can only be expected to do it over a considerable district, because it is impossible to pay properly qualified officers for small districts?—*That is one of the important points on which I think large advantages would accrue to the whole metropolis by the proposed scheme. For instance, we pay our surveyor £200 a year for a small district, and give him the right to practice on his own account. But*

²⁴See n13.

if he had a large district we could afford to elect a much more eminent man; I do not say one who is more qualified to the performance of his duties, but one having a larger reputation, and in whom greater public confidence would be placed.

1869. Do you not think that the function of municipal bodies, whether called vestries or on a larger scale, is similar rather to that of Parliament in the general administration, than that of the Ministers of the Crown, and that the local administration should consist of a popular body, which is elected, and paid officers, who should be nominated, but for whom the money should be supplied and the salaries voted entirely by the representative body? Is not that your opinion?—*I believe that is the perfection of municipal government.*

1870. And, in the nature of the case, that can only be obtained when the body that nominates and the constituency that pays those officers are on rather a large scale?—*Yes.*

1871. Extending over a wide area?—*The bill which has been drawn up refers to a considerable number of other Acts which give separate powers to local bodies, all of which are proposed to be exercised by the new municipalities.*

1872. I presume you have already given in substance all the knowledge we need have of the contents of those Acts?—*I think we give in a marginal schedule every Act proposed to be incorporated, commencing with the Municipal Reform Act of 1835, the 5 & 6 William IV, including all the amendments of that Act. In reference to granting licenses to innkeepers and so on, we recite the other licensing Acts and incorporate them where requisite. As regards the powers of the vestries, the Act simply recites the 18 & 19 Victoria, the Metropolis Local Management Act, and all the amendments of that Act. We merely take the powers which we have; only plus that we give to the municipality the common law powers which a municipality exercises for the good of a large district.*

[*The questioning turned to the proper and present qualifications of municipal representatives.*]

2006. Does it often happen that a person whose qualification is derived from a house which is let out in lodgings is elected as a vestryman?—*Not often; I believe, as a rule, they occupy the houses for which they are rated.*

[*The Chair raised the question of changing the arrangements for commissions of the peace.*]

2050. The powers of the justice of the peace are of two kinds, judicial and administrative. Is there any reason, when the proposed municipalities are constituted, why the administrative powers which now fall on the justices of the peace should not entirely devolve on the corporation; is there any reason why the two functions should not be separated?—*The suggestion is that they should be separated, giving the administrative powers to the Metropolitan General Council,*

and the judicial to the stipendiary magistrates or the magistrates for the peace nominated to the district.

2051. So that everything relating to licensing and other administrative business now done by magistrates, also voting for the county rates, would devolve on the bodies that would represent the metropolis?—*The county rate would go, I presume, to the metropolitan council, and the question of licenses would go to the borough justices.*

2052. So that there would only remain judicial powers to be exercised by the magistrates?—*Only judicial powers.*

2053. Would it be at all necessary to have any other power for that purpose than that which is already exercised, with some extension, if necessary, by the Central Criminal Court; or does the Central Criminal Court not descend low enough?—*In the second bill we should suggest modifications, but that would be the main court, the court virtually for the metropolis.*

2054. I believe the court now comprehends, besides two of Her Majesty's judges, a recorder and magistrates in the commission of the peace?—*Yes.*

2055. That function would be reserved for the justices of the peace in the new local bodies?—*Yes.*

2056. To exercise judicial powers, as now, in conjunction with the two judges and the recorder?—*Clearly.*

2057. And the duties at present exercised, for instance, by the sessions at Clerkenwell would cease?—*They would cease.*

2058. So far as regards the metropolis?—*Yes; that is a part of the function of the Middlesex magistrates within the metropolis with which we are finding fault.*

[*The Chair began a series of questions about the savings in costs of collecting rates expected in the City of Westminster through the centralization that Beal was advocating; the exchange then turned to the probability of more lavish expenditures if those elected in Westminster began to behave like the mayor and aldermen of the City of London, which had great resources not deriving from rates.*]

2076. If anybody would make a present of great Irish estates to the Corporation of Westminster, I suppose there would be no objection to their giving grand dinners on the 9th of November²⁵ or some other day?—*Just so; or if we had the estates of the Corporation of London handed over to us.*²⁶

[*The questioning settled on the disproportionate number of vestrymen of a*

²⁵The Lord Mayor's Day, marked by a banquet and a procession to Westminster in a gilded coach.

²⁶At Q. 2083-4 it was pointed out that the Corporation of London received no income from the Irish estates.

superior class willing to serve in St. George's, Hanover Square, as compared to St. James's. Beal affirmed that the difference reflected the social composition of the areas.]

2099. Do we understand that in Marylebone also there are a greater number than the average of persons of superior position willing to serve in the vestry?—*Not to the same extent as in St. George's; St. George's is a great exception to the metropolis, the superior class forming a good proportion of the whole vestry.*

[Beal affirmed strongly that party politics had no bearing on the local elections, and would not have if they were, as he wished, held annually.]

2111. Is it not understood that a number of the old Corporation have a considerable amount of patronage vested in them, and the administration of a good many 'charities, by means of which it is understood that the circumstance of Liberals or Conservatives being in the Corporation may give them influence which may be exercised in the election of Members of Parliament?—*I have no actual knowledge of it, but I am perfectly aware that it is so, as a matter of general report and information; that large funds are at the disposal of members of a corporation, and that that circumstance does materially influence the result of an election.*

2112. Is it understood that that is the reason why the elections of municipal councils in the provinces often assume a political character?—*I do not know that it so largely influences them as to be the main element; there are errors, no doubt, which crop up out of that system of doling out relief to partisans. I think it is very objectionable, but I do not think it mainly influences the contest.*

2113. In any case, the municipalities would not have patronage or powers of that description, and therefore to that extent there would not be the same motive to introduce political feelings into the municipal elections?—*It would exist only to a minor extent; in most parishes in the metropolis we have charities administered by the vestrymen, and these would be assigned to the municipality. We have in our parish, for instance, a fund which we distribute yearly at Christmas to 20 decayed tradespeople, £15 each, and matters of that sort, but certainly not to the extent I have heard of in some provincial towns.*

2114. If necessary, that patronage could be left with the vestries, could it not?—*I do not think it would be desirable; I think we should hand it over to the municipalities; possibly they could suggest some better mode of administration.*

2115. Or the Charity Commissioners?²⁷—*Yes.*

[The Chair raised the issue of competing "dignity" between the local and central authorities under Beal's scheme. Beal having affirmed that the metropolitan would have more dignity, the Chair asked how that could be so if, say, the

²⁷Appointed under the Charitable Trusts Act (1853) to supervise charities and inspect their accounts.

Duke of Buccleuch were Mayor of Westminster. Beal replied that his being a duke would not add to his greatness as mayor.]

2126. Would not the Duke of Buccleuch, or any other person of his position, rather seek to be a member of the central than the local board?—*I think so.*

[After looking at the analogy of the City of London and its wards with the proposed arrangements, the Chair asked (Q 2142) whether the central council "should have a very large and predominant influence and power over the districts." Beal replied that it "would necessarily have a predominant influence, but not legislative; each of the municipalities would preserve its local power intact. . . ."]

2143. Do you not think that very considerable, or perhaps the greater part of the duties of local municipalities would consist in managing details in matters of which the principles would be laid down by the central body?—*No; I think the principle would be that the local bodies would be simply attached to and interested in local details; and that the general body would have, upon larger lines, as it were, the same duties to perform. I think the greater body would be an example to the lesser. I think if we found that they had higher administrative ability, and gave greater attention to details, we should be constantly learning from them.*

2144. To explain what I mean; assume that the general drainage of the metropolis, the arterial drainage, would be under the management of the central body, do you think that the local sewers like those which the vestries manage now, and which would necessarily be in connection with the general system, ought to be managed exclusively by the local bodies without any authority exercised by the central body over them?—*No, I think that upon all occasions, in order to have a unity of system as to drainage, any detail about to be carried out by the local administration should be submitted to the administration in chief.*

2145. Would not that apply also in a great degree to such questions as gas and water supply?—*That I would leave to the chief municipality only, not to the district.*

26 April

*William Farr*²⁸

2163. You assisted the Registrar General in taking the census of great Britain in 1851, and the census of England and Wales in 1861?²⁹—*I did.*

2164. You had occasion to observe the multiplicity of territorial sub-divisions in the metropolis, made without any reference to one another?—*I did.*

2165. What is your opinion on the consequences of that; is it attended with inconveniences?—*[The massive difficulties were commented on in their Census*

²⁸William Farr (1807-83), a medical doctor, superintendent of statistics in the Registrar General's office from 1838 and a pioneer statistician.

²⁹For their reports see *PP*, 1852-53, LXXXV, 9-98, and 1863, LIII, 1-89.

Report to the Secretary of State, in which they called attention to the great benefits to be anticipated from a uniform system of divisions.]

2166. In regard to the metropolis especially?—*That holds especially with regard to the metropolis: the sub-divisions of the metropolis are shown clearly in Mr. Horton's interesting pamphlet;³⁰ they are as inconvenient as any that we met with in any part of the country; I believe their inconveniences are felt more perhaps in these large cities than they are in the country.*

2167. The divisions being so numerous, of course very few of them coincide with any historical boundary?—*Very few; they are based chiefly on the parishes, if we except the City of London and the City of Westminster; the parishes round the City of London and the City of Westminster grew up and became populous, and no notice seems to have been taken of that great fact, which has raised the population from 100,000 to 3,000,000; so that London is left, as regards its local government, almost in the state in which it was when all the parishes round the City consisted of a few scattered houses.*

2168. When anything new has to be done, a new division is made for that separate purpose only, instead of one division that would serve for all purposes?—*That appears to be the case; in every new Act of Parliament the thing to be done is looked at without any reference to the other things done or to the convenience of the general administration of the metropolis.*

2169. What do you consider to be the conveniences and inconveniences of the present variety of boundaries in London?—*[The only convenience is that the different bodies who make divisions for special purposes presumably have those purposes served. The many inconveniences deriving from not being able to base statistical analysis on comparable bases may be seen in the frustrated attempts to study the relations of morality and poverty, and disease and crime.]*

2170. Do any of these inconveniences relate particularly to the municipal administration of the metropolis; would it be possible to divide the metropolis in a convenient manner for statistical purposes without dividing it in the same manner for municipal?—*It appears to me that for administrative purposes it would be very desirable to arrange the metropolis in a certain number of divisions, which would be convenient for administration, so that you might be able to employ competent persons to discharge the various offices that the municipality might wish to see filled.*

2171. So that the facts wanted for statistical purposes would be accessible to officers within the same boundaries within which they were wanted for administrative purposes?—*Certainly.*

2172. It would be convenient that the municipal divisions should be such as

³⁰George Horton, a clerk in the General Register Office (questioned at 2443 ff.), had written a pamphlet entitled *Municipal Government of the Metropolis* (London: Hardwicke, 1865).

would be most convenient for statistical purposes also?—*It is very desirable for administrative purposes that you should thoroughly understand the constitution, wants, and condition of the district; and unless you make the divisions coincide, that appears to me to be impossible.*

2173. Do you think that the Parliamentary and municipal boundaries should be co-extensive?—*I do. It appears to me to be an old part of our constitution, that the different bodies associated for common purposes should also be associated for the purpose of sending Members to represent them in Parliament.*

2174. Do you think that the boundaries of the present Parliamentary districts would be those most convenient for municipal and statistical purposes, or that they would require modification?—*They would require extensive modification all through the country. Since the Reform Bill great changes have taken place in the population of the country. Nearly all our large towns, and that is especially true of London, have had great accessions of population, which have been deposited irregularly around their Parliamentary area.*

2175. And that is no less true of the metropolis than of other towns?—*It is especially true of the metropolis.*

2176. That is, supposing Parliament were to adopt boundaries for municipal and statistical purposes that did not exactly coincide with the present Parliamentary boundaries, you think that the Parliamentary districts should be modified so as to correspond with them?—*It strikes me that would be convenient and proper, and quite in conformity with the general principles of the constitution of the country.*

2177. In the Act for the local management of the metropolis, called "Lord Llanover's Act," these different considerations were not regarded at all?—*Lord Llanover, I think, proceeded on the principle of maintaining the existing organisation and boundaries of the metropolis. That was essentially a parochial organisation. It originated as a parochial organisation, and it is not, in my opinion, fit for all the great purposes of municipal government. Lord Llanover, I suppose, adopted that basis because it existed at that time, and it would have been probably rather difficult to alter it.*

2178. In what respects do you think that the practical administration of the metropolis is unfavourably affected by this want of organisation as to the boundaries of the different authorities?—*That is a question which I have not fully considered; so that my opinion, I fear, would be of little importance; but, looking at it on general principles, and with the knowledge I have of the general divisions of this country and of other countries, I should say if you divide London, as Mr. Horton has proposed in his pamphlet, into 10 or 11 great divisions, and make those divisions municipalities, and endow them with all the powers which a municipal organisation possesses in the large boroughs of the country, you would get a much better administrative organisation than exists now.*

2179. In what respect do you think it would be better; that the municipal authority would be more conveniently exercised, or that the municipal bodies

would be better composed?—*It appears to me that the municipal bodies would be better composed, and have a better organisation for the execution of municipal duties; they would be able to appoint and pay competent persons to discharge the several duties required, such as surveyors, health officers, and the various officers that are required in municipal boroughs. The present multiplicity of the districts of the metropolis, many of them obscure and never heard of, withdraws them almost entirely from public observation. What a man does in the vestry in Bermondsey, or Stepney, or some of the other districts of the metropolis, is never heard of; so that there is really no responsibility to the great body of the metropolis; and in consequence our streets, and other things that fall within our observation, are in a very disgraceful state.*

2180. Are you able to speak of the different departments of the administration of the metropolis at present, as to the imperfections of any of them?—*I would rather not pretend to do that. I think I should not be able to give the Committee any information on that subject so valuable as many other gentlemen could give, who will no doubt appear before it. I merely speak to the general facts.*

2181. You have a favourable opinion of Mr. Horton's plan, contained in his pamphlet, for the redivision and re-organisation of the administration of the metropolis?³¹—*I might mention that when Mr. Horton first placed his pamphlet in my hands I read it carefully through, and was very much struck with it. It preserves the old historical traditions of the metropolis contained in the City of London and the City of Westminster as they stood in the history of the country; and it suggests one way, at any rate, in which the rest of the metropolis might be organised and brought into conformity with these old existing portions.*

2182. Do you think that there should be one municipality for the whole metropolis, or that there should be separate municipalities for the different parts?—*[One, as in Paris, no matter what it is called, is needed for such necessarily coordinated measures as drainage.]*

2183. Then you would propose, as Mr. Horton does, that there should be municipalities for the different districts of the metropolis, which should take charge of those duties which are peculiar to the districts, and also of that part of the general duties which cannot conveniently be discharged by the Central Board, as in the case of these subordinate sewers which, as you have observed, are necessary to the utility of the greater sewers?—*That appears to me to be a convenient arrangement. These organisations would naturally take the place of the present district boards, and I think would discharge the duties which devolve on those boards much more effectively.*

2184. Do you think that the present imperfect organisation is injurious in its effects on the administration of the sanitary Acts?—*[Much more should be done to*

³¹Horton's proposed divisions are reproduced in the "Report of a Meeting of Delegates," in App. 9 of the present Report, 617.

improve the health of the population. While the impetus must come from the workingmen of London, the municipal authorities alone can deal with the water supply and sewage.]

[The companies responsible for supplying contaminated Thames water were identified as those of Southwark, Chelsea, and Lambeth.]

2186. That has been remedied?—*That has been remedied under an Act of Parliament,³² after an inquiry before a Committee of the House of Commons, and in consequence the health of those districts has been improved. I merely cite it to show that although much depends on the householders of London, much also depends on the municipal organisation of London.*

2187. Do you think that the water supply of London is a matter for which some public body ought to be responsible?—*I am of that opinion.*

2188. Do you think that the powers in regard to water supply should rest with the general municipal body for all London, or with the separate municipalities of the districts?—*I think they should rest with the central body in which all the municipalities would be represented.*

2189. You would probably have the same opinion about the gas supply?—*I am not so sure about gas, I have not thought of that.*

2190. With regard to such subjects as the admission of railways into the metropolis?—*I think that should be dealt with by the central body, clearly.*

2191. That central body would be the adviser of Parliament in the matter; or would you have it disposed of by the central body relieving Parliament from the duty?—*I think you could not forcibly take the property of individuals without coming to Parliament.*

2192. Then, you would have all such schemes considered and reported on by the general municipality of London before they were submitted to Parliament?—*It would be exceedingly desirable, and I think Parliament would find great assistance in such reports from the engineers and surveyors of the central body.*

2193. Have you any remarks to make on the Poor-Law administration as connected with this subject?—*[The ratio of rich to poor is very different in parts of the metropolis, and the regulations are such that the rating is very unequal, with the higher burden falling on those less able to pay.]*

2194. Should you think it desirable to give to the new municipalities any powers in regard to the administration of the Poor Law?—*I think it would be convenient and very desirable, that the relief of the poor of the metropolis should be placed in the hands of municipal bodies.*

2195. The municipalities would become the boards of guardians under the Poor Law?—*They might appoint committees, as some of the present vestries do, for the special management of the poor, but I am decidedly of opinion that it would be desirable to consolidate the Poor-Law administration of the metropolis.*

³²15 & 16 Victoria, c. 84 (1852), sect. 1.

2196. It has been suggested that each of the municipal districts should be a Poor Law union; is that your opinion?—*My opinion is perhaps not worth much, but I should say, on general principles, that it would be very desirable.*

2197. Supposing that to be done, having reference to the Act lately passed for union rating, whereby the rating would become equal over each union,³³ would that materially affect the inequality of rating that you have been pointing out, as regards the different parts of the metropolis generally?—*I have well considered that part of the subject, and am quite persuaded that the rating for the relief of the poor should be equally distributed over the whole property of the metropolis.*

2198. But supposing that were not done, should you think that the mere equalising the rate over each of the municipal districts, which in the present state of the law would necessarily follow if it were constituted a union, would make a material difference in the present inequality?—*That would be easily determined. I am afraid it would not make so much difference as would be desirable. The poorest districts would be generally grouped together, but, so far as it went, it would no doubt be a move in the right direction.*

[*In Marylebone the vestry, under a Local Act, appoints guardians for the Poor Law.*]

2204. There is one committee for the whole of their Poor Law duty?—*Yes; I could easily get the exact information for the Committee if they desire.*

2205. I should like to hear what your idea would be of an administration of the Poor Law by the municipal bodies. Would you make them collect the rates?—*They would collect the poor rates as they would the others, by some general arrangement. It would not be convenient to collect different rates for different purposes; one general rate should be raised for all purposes.*

2206. You would make them responsible to a general municipal council, if I may so call it, in the nature of the Metropolitan Board of Works; a superior tribunal or body of that kind?—*That would be a detail which it would be necessary to consider carefully, that is, to determine exactly how far the central body should go and where it should stop.*

2207. But as there are strong reasons for having a general rate, and a uniform system of relief for the whole metropolis, it is very important to have every suggestion for carrying that out?—*Certainly.*

2208. You think it might be done by the municipal bodies collecting the rate, and then delegating to the committees the administration of the relief?—*The administration I should apprehend would be done by paid officers. It is quite clear that such a great work as that could only be done effectively by employing the best men you could get, and paying them. The committee would simply superintend and see that those officers did their duty.*

³³28 & 29 Victoria, c. 79 (1865).

2209. They would be in the nature of relieving officers of a superior class?—*Certainly.*

2210. You mentioned that you thought that the want of health and the high rate of mortality arose in a great measure in different districts from the poverty of the inhabitants?—*Partly from the poverty.*

2211. But does it not also in a great measure arise from the crowded state of those districts?—*That is, I think, also a consequence partly of the poverty.*

2212. You are well aware that the poorer districts are the most crowded?—*Yes, I show exactly the effect of the density of population in increasing the mortality.*³⁴

2213. And you think that relief would be afforded by a general rate over the whole metropolis for the relief of the poor?—*Yes.*

2214. They would pay less, and the richer districts would pay more?—*At present your rate is necessarily limited by the means of the people who pay the rate; and if your rate was equally distributed over the rich districts and the poor, it would lighten the pressure on the poor districts, while it would not oppress the rich.*

2215. Has it ever occurred to you whether there might be a sort of financial body for the purpose of administering relief?—*It would be very desirable to have a finance committee, I should think, as part of the business arrangements.*

2216. And for that committee to distribute certain contributions to the committees under them for the purposes of relief; did it ever occur to you that that might be carried out?—*That had not occurred to me; I should not say it was not desirable on that account; I have not thought of it.*

2217. You are aware that these committees in their different districts are better acquainted with the poor than any concentrated municipal body could be?—*I should think they would probably be better acquainted with the peculiar circumstances of the poor of their own district than a central body would be.*

[*After more discussion of equal rating, the questioning returned to pollution of the Thames, instances being cited of problems connected with sewage being emptied into the Thames above London. Farr asserted that the same protection as was adopted in the metropolis should be provided for the length of the Thames.*]

2240. That, however, could hardly be done by the metropolitan authorities; it would require some authority that could be exercised over the whole of the Thames?—*Certainly.*

[*The witness mentioned houses unfit for habitation, because of structural*

³⁴Farr had been responsible for compiling the "Supplement to the Twenty-Fifth Annual Report of the Registrar-General of Births, Deaths, and Marriages in England," *PP*, 1865, XIII; see esp. sect. ix, "Mortality of Cities; Relation between Density and Death-Rate," 33-5.

defects and insufficient conveniences, in St. Giles's, the Strand Union, Marylebone, Lambeth, and Southwark.]

2381. Are they not sometimes built back to back, so that there is no proper ventilation?—*Yes, they are built back to back in some instances.*

[The questioning on ventilation continued.]

2396. Does not Dr. Arnott's ventilator, on a principle similar to that of Jeffreys' respirator,³⁵ enable you to get rid of the foul air, without losing the heat?—*That is a good arrangement. I have adopted it myself, carrying the gas through the central tube, and admitting cold air through the tube that surrounds the other.*

2397. The hot air going out warms the cold air coming in?—*Yes.*

2423. To return to the subject of a subdivision of the metropolis, would you prefer having one and the same division for all purposes rather than a separate division, as at present, for each of the separate purposes?—*[There should be one system of division, with five levels of sub-division; the French model, with departments, arrondissements, cantons, and communes is good, but in England a further level at the top, into provinces, is desirable.]*

2424. I think I understood you to say that one of the strongest reasons for having only one division for all purposes, is that in that case the same set of officers could take charge of all or many of the different duties, whereas if you had different districts for each kind of duty you would need a different set of local officers for each?—*Yes; that would be a question of economy.*

2425. That is a consideration not likely to occur to the officers at the head of these special duties. They, only thinking of their special duties, if they find a division that is convenient for that purpose, would not be likely to consider any convenience that would require them to have before their minds other duties as well as their own?—*Certainly. If all the heads of the departments to which the Honourable Chairman referred were brought together in a room like this, and if they said, "Let us consider whether we can arrange that the same district shall serve for all purposes:" I have no doubt they would make some general arrangement which would suit nearly all purposes of administration.*

2426. And the convenience arising from having only one set of officers for all the various duties, would be only likely to occur to them if they were brought together, and would not be likely to operate as a motive on each of them separately?—*In that way the evil has arisen: each officer sits in his own room and considers the case before him. If all the heads of departments were brought together and asked by this Committee to consider whether they could not make*

³⁵Julius Jeffreys (1801-77) invented the respirator in 1835 to relieve his sister after a pulmonary attack; the principle was based on a ventilator invented by Neil Arnott (1788-1874) in 1810 to ventilate a ship.

several subdivisions of the metropolis serve for nearly all purposes, I have no doubt that those eminent men would be able to agree on a general subdivision of the metropolis.

2427. Then, for statistical purposes, I understand you to say that you consider it of importance that the different kinds of statistical facts should be obtained for the same circumscription, in order that they may be of use for the purpose of comparison?—*It is indispensable for the purpose of reasoning, and for the purpose of direction in administration.*

2428. Therefore, that is an additional reason for having the same district for all the different classes of facts?—*Certainly.*

2429. Then, with regard to the desirability of obtaining a superior class of persons as members of municipal councils, I think the reason why you are of opinion that this would be obtained better under the proposed municipal system than under the present is twofold; you think that the motive which would induce a superior class of persons to come forward would be, first, the greater importance of the office, the greater importance that they would attach to the duty itself, owing to the concentration of a number of different districts into one; and, in the second place, the greater publicity to which they would be subject, being more in the public eye, so that they would get more credit for doing their work well, and greater discredit for doing it ill?—*Certainly; there would then be real responsibility. The public eye would be directed to all these scenes of action; and would control them.*

George Horton

[After the Chair's identifying question, Mill began the interrogation.]

2443. You last year published a pamphlet on the municipal government of the metropolis, which attracted a great deal of attention?—*Yes.*

2444. What did you propose in that pamphlet?—*I proposed to divide the metropolis into 11 boroughs and 99 wards, taking the metropolis as defined in the bills of mortality.*

2445. Does that include everything that you think it desirable to include?—*No; I think it should include the hamlet of Penge, as that is included in the Metropolitan Local Management Act.*

2446. Are you acquainted with the provisions of the Bill that has been handed in to the Committee; do the divisions in the Bill coincide with those proposed in your pamphlet?—*Almost exactly; it proposes to leave the City of London as it is; I merely proposed a few alterations to round off the boundaries.*

2447. Neither in your plan nor in the Bill are the boundaries or districts adopted exactly coincident with the Parliamentary districts; what is the reason of that?—*The existing Parliamentary boroughs do not seem to offer a suitable basis for a permanent arrangement, because, in the first place, there is a great inequality in the population in these various boroughs; the population of the Tower*

Hamlets, for instance, is 647,000, according to the census of 1861, while that of Greenwich is only 139,000; secondly, the Parliamentary boroughs do not include the whole metropolis; there are certain parishes in Middlesex, Kent, and Surrey which are excluded, and they contain altogether a population of about 338,000; I thought it advisable that they should be all included.

2448. Besides including those districts which are not at present Parliamentary districts, you also take away certain parishes from some of the existing Parliamentary districts, and form new districts by an aggregation of those?—*That is with a view of equalising, as far as possible, the population and the area of the various boroughs.*

2449. Do you effect a tolerable approach to equalisation by that arrangement?—*I think so. According to the scheme in my pamphlet, the highest population is in the borough of Southwark, which contains a population of about 347,000, whereas the Tower Hamlets at present contain a population of nearly twice that number.*

2450. You would propose to divide the Tower Hamlets into two parts, for municipal purposes?—*Yes.*

2451. That is the only alteration you make in the Tower Hamlets?—*Yes.*

2452. Should you not think it desirable to include the West Ham district along with the Tower Hamlets?—*There are besides this various other outlying districts in the north and west upon which a great difference of opinion is likely to prevail as to whether they should be included or not; for instance, Brentford and Chiswick, in the west; Edmonton and Highgate, in the north.*

2453. These, however, can hardly be considered at present to be continuous with the metropolis?—*I think Turnham Green and Chiswick, Brentford, and Kew, may be considered to be so.*

2454. Perhaps in this sense, that there is one continuous line along the road that leads to them, or pretty nearly so, but there are not cross streets so as to make it, as it were, a town quarter?—*I think each is as much a town quarter or more so than some of the districts already included; for instance, Eltham, Lee, and Kidbrook. Consequently, in the Bill I think power is taken to include such districts as may be from time to time thought advisable.*

2455. You think, then, that the area of the present Parliamentary districts is too great for the convenience of municipal government, and that it is desirable to have a smaller area, with a smaller population, than that of Marylebone or Finsbury as at present constituted?—*Certainly, and I am of opinion that one system of districts should be adopted for all purposes. Some may think the present system more convenient perhaps; I think it seems a more sensible arrangement to have but one system for the whole; and if it is to be so, I think it should be such a system as may serve for police court districts, county court districts, poor law unions, registration districts, and other local purposes. I do not say that this is absolutely necessary, but I think it is desirable.*

2456. You think in that way there would be a tolerable approach to an equality in

the amount of duty thrown on the municipal bodies?—*That was one of my principal ideas. They would be tolerably equal in area and population, with the exception of two boroughs on the south side of the Thames, Greenwich and Lambeth. There it would be impossible to equalize the areas and the population, because they are much more thinly populated than the boroughs on the north side.*

2457. When you speak of Greenwich, you understand the whole Parliamentary district, including Woolwich?—*I am speaking of the borough of Greenwich, as arranged by myself, which would include the whole of the union of Greenwich and the union of Lewisham, and is much more extensive than the present Borough of Greenwich.*

2458. You do not propose that the whole Parliamentary district of Greenwich should be included in the metropolis. You do not consider Woolwich as a part of the metropolis?—*Part of Woolwich is included in the Parliamentary district, and the whole is included in the metropolis according to the Metropolis Local Management Act.*

2459. Do you say that it is?—*Yes, Woolwich is.*

2460. There is a considerable district which has grown up adjoining the Lewisham district. There is an entirely new quarter consisting, of Lee, and part of the Blackheath district?—*That is all included in the new borough of Greenwich which I propose. The present Parliamentary borough of Greenwich comprises St. Paul's and St. Nicholas, Deptford; part of Greenwich, Woolwich, Plumstead, and Charlton; only portions of the last four parishes. I propose that the whole of those parishes should be included in the borough.*

[*In response to the Chair, Horton said he would add the parishes of Lee, Kidbrook, Lewisham (including Sydenham), and Eltham.*]

2462. Your pamphlet contains a list of the parishes that would compose each of the districts that you propose. Have your views on that subject been at all modified, or do you still adhere to the lists given in your pamphlet?—*I still adhere to that list. I think it would be advisable that the Parliamentary boroughs and the municipal boroughs should be co-extensive, but it would depend upon how many additional members might be allotted to the metropolis under the new Reform Bill,³⁶ whether we might be able to adopt an entirely similar system for Parliamentary and municipal boroughs.*

2463. The division you propose, being grounded on area and population, is one which you think would be convenient for Parliamentary purposes as well, in case it should be decided to give additional members to the metropolis?—*I think so; but perhaps I may say that, as a temporary measure, I proposed that the existing members might, if this system should be thought advisable, be distributed amongst the new boroughs.*

³⁶“A Bill for the Redistribution of Seats,” to be introduced by Gladstone on May 7.

2464. Are you able to give a list of the places that might be considered as central in the different municipalities that you propose to create, and suitable situations for municipal buildings?—*Charing Cross might be considered the centre of the City of Westminster. I consider that High-street, Kensington, would be about the centre of the new borough of Kensington; and Marylebone-road would be the centre of the new borough of Marylebone; Euston-square would form nearly the centre of the new borough of Bloomsbury; "The Angel," Islington, would be about the centre of Finsbury; Hackney-road, of Hackney; Whitechapel-road, or Commercial-road, of the Tower Hamlets; Kennington Park, of Lambeth; and New or Old Kent-road, of Southwark.*

2465. Supposing these districts formed the basis of Parliamentary representation, I think the additional representation they would get, if each had two members, would only amount to six?—*Six, including Kensington.*

[*The Chair intervened on the question of inconvenience from the size of proposed boroughs, citing Finsbury, including Lincoln's Inn.*]

2470. It is in Bloomsbury?—*Yes; the centre of that would be Euston-square, not so very far off.*

[*The questioning turned to the tension between practicability and Horton's theoretical scheme.*]

2482. For statistical purposes there would always be a convenience in having the same districts for different descriptions of facts, because facts of one kind often bear an important relation to facts of another kind, of which relation no use can be made unless the facts relate to the same districts?—*That is the case.*

2483. There is also this consideration; that duties of different kinds may often be conveniently entrusted to the same set of executive officers: as, at present, many duties created by Acts of Parliament of a general and national character are habitually performed by officers who were originally appointed for merely local purposes; and in fact, if they were not, there would seldom be any other officers to do them, unless you created others for the purpose, which would occasion great additional expense?—*Certainly; many duties of different kinds might be entrusted to one officer, just as in the case of the relief of the poor, the registration of births, deaths, and marriages, and the inspecting of nuisances. In many cases, these offices might be combined in one person; the man who goes to a house to register births or deaths in a poor district, would naturally have his attention drawn to the state of the house, and to any nuisances that might exist.*

[*The utility of giving many duties to one officer with resultant problems of responsibility and effectiveness was canvassed.*]

2525. Do you not think that if an officer had not enough to do, it would often be a better arrangement to give him additional duties within the same limited district,

than the same duties over a larger district?—*I think it would certainly be more convenient and that all his duties should be confined within similar boundaries.*

2526. The present Board of Works or boards of guardians would not have the power of adding to his duties by adding other duties within the same district; the only power they would have would be that of giving him a larger district for his limited duties, and that might not be convenient, but it might be convenient to give him within the same limited district other duties than those he now performs?—*If I gather the meaning of the Honourable Chairman, he would suggest that although there is a small district for registration purposes, there might be a large district for other purposes.*

[*The Chair clarified by saying registration or other purposes as the existing municipality chose; Horton thought the proposed arrangement would be inconvenient.*]

2528. If all the duties were concentrated in one municipal body, they could concentrate all or many of the local duties within the same district in the same hands, while the present authorities have only the power of giving a larger district for duties limited in kind, and that might often not be convenient, while the other system might?—*Exactly.*

*Thomas Beggs*³⁷

[*Again Mill began after the Chair's identifying questions.*]

2531. You have had some experience as a member of a vestry in Westminster?—*I have. I became a vestryman of St. Paul's, Covent Garden, one of the six parishes forming the Strand District Union, in 1851, and was appointed by the vestry to represent it as one of the nine representatives to the Strand District Board, when Sir Benjamin Hall's Act came into operation.*

2532. You have had a seat at the Board about nine years?—*Yes; I resigned in 1864.*

2533. And during that time did you pay particular attention to the working of the Metropolitan Local Management Act, so far as your own district was concerned?—*[Yes, through membership in the important surveyors' committee; and earlier through an official connection with the Health of Towns Association. His conclusion was that London was the most expensively and probably the worst governed city in the empire. Sir Benjamin Hall's Act helped improve the system.]*

2534. But you still think it leaves the local administration of London very imperfect?—*[To show how, Beggs called the Committee's attention to anomalies by means of a map and a schedule of rates related to jurisdictions.]*³⁸

³⁷Thomas Beggs (1808-96), mechanical engineer, sanitary reformer, and writer; he had been one of the early supporters of Mill's candidacy for Westminster.

³⁸Notes to Beggs' testimony say that both map and schedule were handed in, but only the schedule was printed, in App. 2, 270.

2535. Are there any other disadvantages, besides those of which you have given an account, which you consider to attend the present subdivision?—*[Beggs referred, again handing in evidence, to many disadvantages arising from the real or apparent lack of identity of interest among the parishes. The confusion over officers' duties and their reliance on private business contributed to the inefficiency.]*

[In answer to the Chair, Beggs indicated that the system, by making multiple occupations necessary, was at fault, not the officers themselves.]

2537. Do you believe that such disadvantages as those which you have pointed out are inseparable from the present system, or would it be practicable to effect any arrangement between adjoining districts, so as materially to lessen, and perhaps remove, the inconvenience you have referred to?—*[Some makeshift arrangements seem to work, but difficulties will arise when local Boards disagree about their interests.]*

2538. Are there any other disadvantages which, in your judgment, are traceable to the great subdivision of jurisdictions?—*There is one thing in relation to medical officers that I should like to point out, but that, perhaps, does not refer so much to a matter of jurisdiction as to the way in which the officers are appointed; there is imminent danger; I do not know that such a case has occurred with us, but I know it may occur, of medical officers being obliged to summon members of their own Boards for infractions of the Acts; I know it has occurred in several districts of the metropolis. I am not at present acquainted with any such case in our own district, but I think the danger of such cases is imminent.*

2539. That, you think, would not be liable to happen if the districts were larger?—*If the districts were larger, in a city like London, which is rather a conglomeration of cities united together, there must be a federal head to govern that work which is common to the whole metropolis, the management of the great thoroughfares, the main drainage, and matters of that sort. My judgment is that the appointment of a medical officer ought to be in the hands of the federal government, in order to render him independent of the local Boards.*

2540. What is your opinion of the present mode of election to the Metropolitan Board by the vestries?—*When Sir Benjamin Hall's Act came into operation, I looked with considerable favour upon the plan of double election; that is, the ratepayers electing members of the vestry, and the vestry themselves electing representatives to the district Board. I have seen great evils in the system and in my opinion the system of direct election would be a great deal better than the present.*

2541. On what ground do you think it would be better?—*I think it would create a greater responsibility; that it would bring into closer connection the represented with the representative, and would therefore secure better representation.*

2542. Are you acquainted with the plan for the municipal administration of London, which has been embodied in the draft of the Bill that has been laid before the Committee?—*Yes, I have seen that Bill.*

2543. What is your opinion of that plan?—*As to the general principles of the Bill, without pledging myself to its details, I should support it.*

2544. Have you formed any opinion about the local taxation of the metropolis, and the improvement that might be made in it?—*I have seen, during the time I have been a vestryman, and also a member of the Board, very great inequalities, but they are slowly adjusting themselves. There is an improvement going on, but I think the one essential thing would be the supervision of the whole. I know it is the opinion of many practical men, who have given much attention to it, that it ought to begin with the land tax. They point out great differences in the various districts, great inequalities, and they think that an equalisation of the land-tax ought to begin all reform as to rating.*

2545. That, however, is not a local tax?—*It is not a local tax. They take that as the basis. At present our local taxation is based upon the property tax. They merely urge the land tax as the basis. Without supporting that opinion (because I have not considered it sufficiently to be able to do so), I may say that I believe that the rating of the metropolis is very imperfect, and that the revision of it is very necessary.*

2546. What do you consider are its special defects?—*Its inequality generally. I know instances where rating has gone on for a great number of years upon the old system, upon a valuation made long before property had acquired its present value. The plan usually adopted, by some sluggish vestries in the centre of London, is this, that as leases fall in, and improvements are made, they re-survey the property, and re-assess it. In my own neighbourhood, within the last three or four years, I am told these discrepancies are disappearing very fast, but I know that there have been serious anomalies, so that the property on one side of a street has been assessed at a much lower rate than that on the other, from the mere fact that no revision had taken place for a series of years.*

[*With reference to the difficulty, apparently increasing, of getting good local representatives, Beggs offered his opinion that they did not have the motive provided by service to a broad community.*]

2560. You think that the approbation or disapprobation of Westminster would be a stronger motive of action than the approbation or disapprobation of St. Paul's Covent Garden?—*Certainly.*

[*Beggs agreed that extensive coverage of municipal deliberations by the newspapers would encourage better participation.*]

2566. There are, I believe, local papers in different parts of London which would no doubt report the proceedings?—*No doubt, it must be obvious that the two things are essentially different. I think there are five different managements in Westminster. If they were all concentrated in one, the whole business would become of a much more important character. The public press is deterred probably from the comparatively insignificant nature of the transactions of five or six different Boards.*

2567. In fact they do not think that there would be sufficient public interest to induce them to give space in the papers?—*Exactly so, if the whole of Westminster were under one management, it would be of considerable importance.*

2568. The more important matters that came before it, even such papers as *The Times* might think it worth while to report?—*No doubt, as they report now the proceedings of the Metropolitan Board, and of the City Corporation.*

10 May

Thomas Beggs, continued

[*Mill was the first questioner.*]

2625. In your evidence the other day you stated that the management of your district was very costly, and at the same time very inefficient; will you explain in what the inefficiency consists?—[*With reference to paving, the excessive amount spent on management, if applied to the cost of repairing the streets, would be sufficient to improve their present bad condition.*]

2626. On the subject of rating, you stated that the rating is very unequal; are there any objections, in your judgment, to the way in which the rates are levied?—[*Using his own rates as an example, Beggs asserted that the system resulted in extra costs in collection, increased trouble in supervision, and some jobbery and discontent.*]

2627. Would not that be inconsistent with the principle that money voted by local bodies should be for special purposes; do you not think that municipal bodies ought to have the power of raising money only for specified purposes authorised by Act of Parliament, and not for general purposes at their discretion; or how would you adjust that matter?—*The adjustment seems to me to be very easy. Here is an example: a committee appointed by the Board itself gives an estimate of what is wanted for the purposes of the district; then a rate is made by the Board for as much as may cover it; and when the whole of the estimates are before them, I do not see why they should not levy a general rate, rather than do it by piecemeal, partly for one purpose and partly for another, and this might embrace any sums wanted for special purposes.*

2628. It might be thought by many that local bodies ought not to have the power of levying rates at their discretion for general purposes, for the benefit of the community; that Parliament ought always to decide beforehand what are the purposes for which the local bodies should be allowed to levy money?—*I apprehend that under the Municipal Act that is so; a power is given for paving, lighting, cleansing and improving the district, and for levying rates for such purposes; but then the peculiarity of London is this, that a certain portion of the drainage (that is the arterial drainage, the main drainage) falls under the control of the Metropolitan Board, while the minor or auxiliary drainage is in the hands of the vestries and local Boards. Probably, if municipal authorities were found to be the best thing for London, with one federal head, it might be an expedient course to*

grant to the general body, who would have the control of all that which belonged to the metropolis generally the power of levying a general rate, leaving the local authorities to do as they now do, levying a rate for local purposes.

2629. I merely wish to elicit your opinion on the subject?—*My opinion is that one general rate is perfectly practicable for all these purposes; for all the purposes indicated by the Act of Parliament; that is the general and subsidiary drainage, paving, lighting, cleansing, and improving the district; and that that would be certainly the most convenient course. It is the one that the best municipalities in the country adopt.*

2630. Have you any objection to make to the present qualification of vestrymen?³⁹—*[The requirement that those elected should occupy £40 premises is evaded, and undesirable landlords consequently obtain seats on the Board.]*

2631. Those probably belong to the class that are most interested in thwarting the purposes of Parliament, particularly sanitary arrangements, and the improvement of the houses of the labouring classes?—*They are the class most interested in keeping in check proper and legitimate improvements. We find the most difficulty from them; they are generally very loud in the protests against extravagance, while we generally find them practically the most extravagant.*

[Beggs agreed with the Chair that actual rather than rated occupation to the value of £40 should be required.]

2633. You said, if the division of London into municipalities was effected, that there should be a central Board, a kind of federal head, for the management of the joint concerns of the whole metropolis; what is your opinion as to the constitution of that body?—*[On balance, but without offering a decided opinion, Beggs said that it should be elected not directly by the ratepayers, but by the separate municipalities, so that it would represent them. However, direct election would be better than the present confused arrangements, under which the ratepayers elected the vestrymen, who elected the members of the district Board, who then elected a member of the Metropolitan Board.]*

2634. As you have not formed any decided opinion as to which is preferable in the election to the central Board, direct election by ratepayers or election by vestries, probably it would be desirable not to go into the minutiae of that question at present?—*I would rather not do so, because I have not sufficiently considered it. I only wish to state that my opinion at present leans to the view, that the central body ought to be elected of the Boards.*

2635. You believe that the complaint you have made as to the cost and inefficiency of the management under the present system is applicable to all the Metropolitan district Boards and vestries, more or less?—*I have heard expressions of dissatisfaction, I believe, from every Board in London, that is from*

³⁹In sect. 6 of 18 & 19 Victoria, c. 120.

*respectable and influential members of the Boards, that the present system is a costly one. I wish to hand in an amended return of one year's expenses of our district.*⁴⁰

[*He handed in the return, and the discussion turned to several related issues, and then to his view of wards.*]

2660. Do you not think that the average size of a ward in the City of London is very much too small to form the unit of municipal government; to form a separate municipal government in itself, as it were?—*I think so.*

2661. They are smaller than the present vestry districts?—*Many of them are very much smaller.*

[*The question of modes of election was again mooted in connection with the attraction of good representatives.*]

2675. Might not the mayor be elected by a separate vote, in which case a person might be candidate for the office of mayor as distinct from that of a member of the municipality?—*I think there would be objections to that. I think the office ought to be considered, and it is so considered in the country, as a reward for long continued or eminent public services. I think it is better the body over whom the mayor presides should elect him.*

[*The Chair asked about the election of the Lord Mayor of London; his election was by the Aldermen and then by the Livery.*]

2677. Is the mayor in the provinces usually changed from year to year?—*The cases are exceptional in which the mayor is reappointed; the office is generally kept open as a reward for men who have served the public. Instances do occur, but they are exceptional, where the mayor is elected a second time. I knew it to occur once during my residence in Nottingham, but it was a special case; it has been once, to my knowledge, the case in Birmingham, and once in Leeds.*

[*Beggs did not agree with the Chair that in Birmingham a tavern keeper was elected twice, and added that re-election was more common in some of the old cities.*]

2679. Perhaps it would be more necessary in the case of a general body than in that of a local municipality to have a permanent chairman, as in the case of the Board of Works?—*Unquestionably, but the presence of a man in the chair, who is supposed to take an interest in its business, and whose duty it is to preside over the meetings, is very important in all bodies. I do not at all like the notion of men meeting together, and probably expending large sums of money, without one or two gentlemen being looked upon as permanently present, and with a chairman elected only for the evening.*

⁴⁰See App. 2, 270.

Thomas Hare

[After the Chair's identifying questions, Mill began.]

2682. You are an inspector of charities?—*I am an inspector under the Charity Commission.*

2683. And in that capacity you have had considerable opportunity of observing the working of local bodies?—*I have in many of the provincial cities, and also in London; I have held inquiries connected with the Charity Commission, I think, in every parish in the City of London.*

2684. Is there any statement you wish to make, or any opinion you can give about the quality and character of the local government, as it has come within your notice?—*It has been only a very special part of the organisation of local government that I have had the opportunity of observing officially; that portion of it which has been administered by the City Companies and by the vestries of the London parish.*

2685. What is your opinion generally as far as you have observed, of the working of that form of government, and of the qualifications of those who exercise rule under it?—*In the long course of years the changes which have taken place in the condition of London and its inhabitants have created great difficulty in following anything like the original directions. The parishes of London have come into possession of vast funds which they have little opportunity of applying except in a very limited and narrow manner, when confined to their present areas of operation.*

[That answer pertained particularly to the City of London rather than the metropolis generally.]

2687. You have paid a great deal of attention to the subject of representation generally, both for national and local purposes?—*I have.*

2688. You have written several articles or essays on the different branches of the subject?—*I may say with regard to the government of London, that in the year 1862, I first published a small work on the Local Government of London.⁴¹ In 1863 I was the author of an article published in Macmillan's Magazine on the "Ideal of a Local Government for the Metropolis."⁴² In 1864 I drew a Bill for the organisation of bodies to apply some of the great funds, which are applicable to public and charitable purposes; a voluntary method of organisation amongst charity trustees and others which would in some measure be a substitute for local government. This year at the Social Science Association, I took an opportunity of reading a paper on the subject of the present condition of local government in*

⁴¹*Usque ad coelum. Thoughts on the Dwellings of the People, Charitable Estates, Improvements, and Local Government in the Metropolis* (London: Low, 1862).

⁴²*Macmillan's Magazine*, VII (Apr. 1863), 441-7.

London, and preparing the rough draft of a bill, which, it appeared to me, would be the basis to a suitable measure for the amendment of that government.⁴³

2689. Will you be good enough to state to the Committee an outline of your scheme for the local government of London?—*The main features of it are these: the direct election of the principal governing body, to be composed, say of 150 members, of whom 50 members should be directly chosen by the owners of property, and 100 members by the occupiers; the council so to be formed, including all the property and inhabitants of the great metropolitan area, being entitled, "The Lord Mayor and Council of London." The Lord Mayor of the City of London, for the time being, should be the president during his year of office, and there should be a permanent vice-president; say the present chairman of the Board of Works. Eight aldermen of the City of London, at least if not elected, as they probably would be, should be added to the body. Twelve members of the Board of Works should be added for three years, to keep up a continuity between the present board and the future body.*⁴⁴

2690. In what manner would you propose that the members should be elected?—*[Hare replied that the proposal, which formed part of a general scheme of representation, was under active consideration in Geneva, Frankfort, and Sydney.]*

2691. Will you be so good as to state the mode of voting which you recommend?—*[The first requirements are proper alphabetical lists of voters, both occupiers and owners, prepared by the collectors of taxes. The votes of the owners would be weighted by the value of the property, and proportional representation would apply.]*

2692. In fact, you would allow any 1,000 voters, supposing 1,000 to be the number entitled to a member on a comparison of the number of members with the number of voters; supposing 1,000 to be the quotient, you would give to any 1,000 voters who could agree the power of returning any member?—*Yes.*

2693. So that no portion of the electors equal to or above 1,000, would be unrepresented?—*No person would be unrepresented. It appears to me that you would bring all the desire for public improvement, all the energy, all the philanthropy that existed in a city, or in the metropolis, and give to it the power of organisation, so that each should have its exponent in the consultative body.*

[Questions were asked about the possible loss of local loyalty. Hare replied that the local government of the City of London was left untouched in his scheme.]

2699. Whatever local feeling existed in the minds of the local people would be fully represented?—*Yes.*

⁴³Actually in 1865, reported in the *Morning Star*, 11 Apr., 1865, 3. For Mill's support of Hare at that meeting, see No. 4.

⁴⁴For these details see "Ideal of a Local Government," esp. 445, where, however, 75 representatives of property are suggested.

[*The Chair remained sceptical on this issue, saying that an Exeter Hall society might elect a candidate while a district might fail to do so, and Hare further elaborated.*]

2704. As every locality has strong reasons for wishing to be locally represented, the majorities would usually elect local candidates, while minorities who could not carry the local candidate whom they preferred would probably vote for some candidate on general grounds?—*I cannot doubt that that would be so. I cannot doubt that each locality would elect those who were thought most desirable for the locality. It is not, however, the houses that are to be taken care of, but the people, and it may be left to their discretion. I do not suppose that the people would be indifferent about the matter. That appears to me to be a visionary apprehension.*

2705. If the people preferred to elect an eminent man for general reasons, at the sacrifice of local interest, you think they ought to be allowed to do so?—*Surely that ought not to be prevented.*

[*Giving further details of his plan, Hare explained that a successful candidate would have to draw support from neighbouring districts.*]

2719. That is, if a district were too small to be entitled to a Member for itself?—*Necessarily.*

[*Hare averred that in his scheme the groupings were voluntary, not arbitrarily determined.*]

2721. Anyone might declare himself a candidate for all the groups, if he liked?—*Yes.*

2722. And he would be the Member for those which chose to elect him?—*Yes, if there was a quota of votes; he may be a candidate for Ayr and also for Glasgow.*

[*A candidate who received 50 votes as against 30 for an opponent, in a ward with only 100 inhabitants, would be elected even if the quota were 1000.*]

2724. That is, if he got a quota by means of other votes?—*Yes. It is perfectly simple; the person having the greatest number of votes in each district, having the quota made up elsewhere, would be the representative of that district.*

[*Hare continued to maintain that local representation would not be destroyed under his scheme.*]

2726. The question is, what is there to induce or to enable the electors to elect a person to look after their local interest especially; I apprehend there can be no other resource than the wish in the minds of the electors to do so; and you probably place your reliance upon that?—*Yes; if the inhabitants of any locality wish to be represented by any individual of special character or qualifications, if that person has more votes than any other, he becomes their representative, because they have shown a greater appreciation of him than of any other person.*

2727. Is not that rather a question of how you would apportion the representatives to the different districts; the Chairman seemed to think it possible or probable, under your system, that there might be no representatives, or very few, of the local interests, inasmuch as everybody might elect on grounds of a general nature, having to do with the localities; no doubt you might even then apportion them to localities, but that would not make them representatives of the local interest?—*No; if at present there were in any locality a population so utterly indifferent to the business of the locality that they would elect anybody to govern them, it seems to me that the difficulty would arise now; you are supposing a state of things which would equally apply to our existing system.*

2728. Only that they are obliged now to elect somebody, by however few votes, and this somebody will naturally be a local person; whereas under your system there would be an opening by which inhabitants of the locality might elect a total stranger if they liked; they can do it now, but it would be extremely unlikely; under your system it would be much more likely?—*It seems to me that with adequate notices of what was going on during the process of the elections you are supposing a degree of public stagnation that one could hardly expect when it is remembered that the voters in any place can elect their own local candidate, every vote being almost certain to have its result.*

[The Chair continued questioning the effect on local representation, finally saying, with Hare's agreement, that a defeated minority would have its votes transferred, and so could, in combination with other minorities, elect a representative.]

2741. And the majority, if it do not amount to a quota, might hope to be reinforced by voters from elsewhere, and so get its members?—*Yes; the sole object is this: to give to each individual the power of using his best and most conscientious judgment in the act of exercising his suffrage.*

[In face of the Chair's scepticism, Hare maintained that transferred votes would go to worthy candidates at least as often as votes did under present arrangements.]

2744. Do you not think that the majority would have an inducement to bring forward as good a candidate as they could, in order that they might have a chance of being reinforced by votes from other districts?—*That would be one object. In all cases those who put forward a candidate would desire that he should be a man having the greatest personal recommendations, in order that he might attract the votes of others.*

[Hare admitted that his scheme had never had a practical trial, majorities not being willing to limit their powers, and went on to say that his plan would allow him to vote for worthy people, an option that he had seldom had under the present arrangements.]

2751. The voter is now restricted in his choice to two or three, no one of whom may suit him, but under your system he could choose from the whole community?—*He is now at the mercy of a few individuals, whose nominees he must vote for or have his vote thrown away.*

[Among other issues, the question of the scheme's arithmetic arose.]

2768. You would divide, after the election, the total number of votes given by the number of members?—*Yes.*

28 May

Thomas Hare, continued

[Mill opened the questioning.]

2793. You said that your system had been taken into consideration at Frankfort and Geneva, but had not been adopted there; I believe it has been adopted in one country?—[*Hare indicated that he had forgotten to mention its adoption in Denmark.*]

2794. Are you aware whether this law is still in operation; a change of circumstances has possibly put an end to the Rigsraad altogether?⁴⁵—*I have not had the opportunity of learning what has been the fact; I think the Rigsraad was an assembly which met once in two years.*

2795. I believe it was for Denmark and Schleswig combined; the constitution of the Rigsdag, which is the Representative Assembly of Denmark only, of course remains as it was, and the system had not been adopted there; it was in framing the constitution for the United Principality that it was adopted?—*It was adopted for the United Principality, and under great disadvantages, inasmuch as throughout the whole of that time the struggle between Denmark and the Duchies was going on, and the system was repudiated in the Duchies, as any connection with Denmark was in a great measure repudiated.*

2796. You proposed the other day that the election of members of the governing bodies should be extended to two or three days. I am not aware that this is suggested in any of your printed writings?—*I had adopted that from an amendment proposed by the Reform Association of Geneva. It appeared to them that if there were any danger of public attention not being sufficiently attracted to the election, so that it might fall into a few hands, that would be corrected by extending it over two or three days, and reporting at the end of the first day the result, when public attention would be called to it, so that any absence of attention on the first day would be corrected on the second.*

⁴⁵Denmark's Electoral Law of 2 Oct., 1855, introduced proportional representation into the Rigsraad as part of the new constitution for the United Kingdom of Denmark, Schleswig, and Holstein. The assembly ended when the duchies were lost in the Prusso-Danish War of 1864.

2797. Any intrigue might be frustrated?—*Any intrigue might be frustrated if notice were given of it in that form; and the system does not seem open to the objection of Parliamentary elections extending over several days.*

2798. You propose that the whole of the municipal voters for the metropolis, to whatever place they belonged, should be able to vote for any candidate who had started for any part of the metropolis;⁴⁶ is that an essential part of your plan, or might votes be confined to separate boroughs?—*It is by no means essential. I preferred to introduce it in that form, because it seemed to me that the widest scope you could give to individual thought the better it would be for the result of the election. If the Committee thought proper to recommend that the metropolis should be divided into boroughs, the vote of each inhabitant of each borough might be confined to that borough; or whatever division might be adopted, it might, in like manner, be confined to that division.*

2799. You said that on your plan candidates would propose themselves, instead of being proposed by others, as they are now; is that an essential part of your plan?—*I was asked whether members would not propose themselves. That is by no means essential. Indeed, I suppose it would not be so. The proposal would be made in writing, instead of being made, as now, at the vestry; it may be made in writing, signed by two electors. There is no reason why the individual should propose himself any more than candidates for Parliament.*

2800. It has been made a criticism on your system that it would require active steps to be taken in many cases, in which a passive operation suffices under the present system. What is really the difference between the present system and yours in that respect?—*[At present notice is given only on the doors of places of worship; the time of election is fixed, and only those few who know of it, and have special interest in electing someone, actually vote. Hare's scheme provides for a voting paper and list of candidates being left at the house of each voter, or otherwise made accessible.]*

2801. Voting papers and lists of candidates might be circulated among the voters, independently of your system?—*It might.*

2802. These things are not peculiar to your system?—*No.*

2803. But what you rely upon, I apprehend, is the greater interest that would be excited in the election, by the greater latitude of choice given to the electors, when not confined to the small number that might be put up by parties or sections?—*[Indeed the essence of self-government is the thought produced by individual action.]*

2804. You think it a great recommendation of a system of election that it calls out the active faculties, and excites a keen interest among the electors?—*That is exactly what I thought; it seemed to me that the question with regard to local government before the Committee was, by what means the best thought of the*

⁴⁶See Hare's speech, "On Such an Organization of the Metropolitan Elections."

community could be brought to bear for the purpose of effectuating that local government.

2805. Would your plan be calculated to diminish the objection which it is supposed might be entertained to having a municipality for the whole of the metropolis, on the ground of the great power such a body would possess?—*[The fear of such a powerful body near the national seat of government would be much lessened by the election of representatives not of numbers only, but of all varieties of thought, property, influence, and social force. Then a metropolitan government would be a source of real strength rather than of danger to the national government.]*

2806. I believe you consider one of the recommendations of your plan to be, that persons of great eminence, both socially and mentally, would be disposed to seek municipal distinctions?—*It seems to me to be so. The mode of obtaining municipal position being so entirely altered, and made to depend so much on the character and position of the individual, and there being a provision by which great proprietors and persons having a material interest in the metropolis could act together in bringing persons in, it seems to me that you would have a body of some distinction, to which some of the best members of the community might well be proud to belong.*

2807. Persons who are well known to a considerable number of voters would not be in danger of being excluded because they were not known to the majority?—*Exactly.*

2808. That is your idea?—*That is the idea which has animated me in bringing these proposals before the Committee.*

2809. Would there not be a difficulty in inducing persons of social importance to take municipal offices, in consequence of their not being usually resident in London during the whole year?—*It seems to me that the business of a great city like London need not require more constant attention than the business of the nation at large, and that the same suspension of its sittings, leaving the business to proper officers, might take place as takes place with regard to Parliament. All great measures of importance, except purely administrative matters, might be confined to that period during which the great portion of the intellect of the country is in London. I can see no reason why there should be constant sittings.*

2810. You think that the executive functionaries of this body might be permanent, and that the deliberative and controlling body might hold intermittent sittings?—*It has occurred to me that that would be a very convenient system, and a perfectly feasible one.*

2811. In regard to the votes which in your system for the metropolis would be allotted to property, what would be, in your plan, the qualification of the voter?—*[In addition to great proprietors such as the Marquis of Westminster and the Duke of Bedford, corporate voters would include the City Companies, the Ecclesiastical Commissioners, the Charity Commissioners or the Poor Law*

Commissioners (for charity property, including educational, which may amount to one-fourth of the whole metropolis—"I can go through miles of the crowded parts of London composed entirely of charity property"), and the Presidents of the College of Physicians and Surgeons (for the great hospitals).]

2812. And you would give that class of votes in proportion to the amount of property?—*Exactly, in proportion to the property; so that a quotient of £100,000 a year might be made up, say of £50,000, £5,000, £1,000, and so on, until the amount was completed.*

2813. The return would state, that so many thousand pounds a year voted in favour of each candidate?—*Exactly, avoiding all that arbitrary distribution which is adopted in the election of guardians, where a man who is rated under £50 a year has one vote, under £100 two votes, and so on, up to six votes. On this plan the weight of the vote will be exactly according to the value of the property, not interfering in any respect with the occupying votes which are given on other grounds.*⁴⁷

2814. What is the proportion of the municipal body which you would wish to have elected on this plan?—*I suggested in my former examination that, if there were 150 members, 50 might be elected by property and 100 as occupiers; one-third by property and two-thirds by occupiers.*⁴⁸

2815. In the case of occupiers, would you propose a qualification, or allow all occupiers to vote?—*I think the Parliamentary qualification might be adopted. I see no reason why the Parliamentary qualification should not be the municipal qualification.*

2816. It has sometimes been thought that a lower qualification may be admitted for municipal government than for national government?—*I should like to have the municipal suffrage of the occupiers as low as possible; preserving in all cases the rule that the voter shall be registered.*

2817. Would you give plurality of votes in the case of occupiers?—*No, only single votes.*

2818. You only take the amount of property into consideration in the votes allotted to property?—*Exactly.*

2819. Have you formed any opinion what the qualification should be, or if any qualification should be fixed by law, for the persons elected?—*[The law ought not to impose qualifications; the matter should be left entirely to the electors.]*

2820. When you have a proper constituency, or the best constituency possible, you would trust it?—*Yes; it seems to me, that to impose a qualification is only an obstructive proceeding. We might find merchants in London who have ceased to possess a qualification in London, but are very much interested in the City from old associations, who live quite beyond its boundaries, and yet may have much*

⁴⁷See "Ideal of a Local Government for the Metropolis," 445.

⁴⁸See Q. 2689.

leisure, and be very desirous of attending to public business, who would be entirely disqualified by some artificial rating clause, which you might impose. I would earnestly impress that as a very important thing, that the qualification of the elected person should be entirely abolished, and left altogether to the electors.

2821. Supposing that better municipal bodies were obtained in this way than hitherto, you would probably consider that one of the advantages of that would be that the municipal bodies would be fit to undertake classes of duties that have not hitherto been entrusted to them?—*[The result would be that municipal governments could deal with matters that now obstruct Parliament's proper business.]*

2822. You are of that opinion with reference to the whole country, not merely as regards the metropolis?—*[In support of this view, Hare cited a Bill concerning a savings' bank in Bradford that would be far better treated as a local matter. Other instances would be charities, local improvements, and railway sites.]*

2823. Would there not be great advantage in having bodies all over the country to whom Parliament could entrust the execution of Acts that it might make for the public benefit, which it now does not make at all, or which are unexecuted or imperfectly executed, because there are no persons that Parliament can trust to execute them in the localities?—*Undoubtedly.*

[Lord John Manners objected to Hare's having suggested that the vote for educational property be given to the head of the Council on Education, a temporary political official who would represent Governmental rather than institutional views.]

2828. Would you object to have that property represented, not by the head of the educational department, but by some one of its permanent officers?—*None; I selected the Vice-President as the officer who stands most in the public view, but it might be by a permanent officer. I have no special attachment to the Vice-President.*

[After a variety of questions, the Chair suggested, and Hare agreed, that frequently householders in London had no knowledge of local affairs, including elections.]

2849. Is it not also the fact that a large proportion of the voters for the metropolitan districts, amongst the higher classes especially, do not vote at all, even for Members of Parliament?—*I believe that is so in a very large number of cases.*

[The questioning turned again to the likelihood of stirring interest in local elections.]

2855. You rely on the voting papers for that?—*Yes; the action would be effectual without attracting the attention of the public to the individual who exercised it.*

John Dangerfield⁴⁹

[After extensive questioning by other members of the Committee, Mill opened a new avenue.]

2927. Your experience of the working of metropolitan vestries, I understand you to say, is derived mainly from the working of your own vestry?—*Quite so.*

2928. Your vestry appears to comprise several persons of very considerable importance; some of very high social positions, others of the highest class of tradesmen?—*I mentioned some of the superior class of tradesmen. There are no men in the vestry now belonging to the highest class of society. Lord Overstone was a member for a time; Mr. Hoare was a member, and continued to be a member up to the time of his death; we supplied his place the other day.*⁵⁰ *The most active and the best men are the superior class of tradesmen in the parish: then there are others of considerable intelligence, not occupying quite so high a position in business.*

2929. Do you think there are many metropolitan vestries that have the advantage of such men?—*I do not know; to some extent, I should say, not to a considerable extent; I doubt if it is to the same extent.*

2930. Lord Overstone is not only a man of high social position, but also of great ability and power of speaking, and probably while he was a member, he exercised very great influence in the vestry?—*He did not very often attend; there were few occasions on which he attended; he was willing to attend on certain occasions, when there were matters of great interest brought forward. Our hour of meeting (seven in the evening) was against the attendance of the class of persons to which he belonged.*

2931. Do you not think that in those vestries, which have not such persons belonging to them, it might easily happen, and does happen, that they are much under the control of persons who are very often the owners of those properties which are in the state you describe, and which it is so extremely desirable to have remedied?—*I do not know that to be the fact; I should doubt it very much, because I think the general feeling and sympathy of the vestry would be very much against such persons. They would be pointed out by the vestry as persons who should not be listened to.*

2932. Do you think that there is in all vestries that degree of interest in the subject, and that degree of care about the persons appointed, which appears to exist in yours?—*[While a few inappropriate people have been elected elsewhere, on the whole the quality is impressive.]*

2933. Your experience is of a vestry in which that influence, if it exists, must be much counteracted by persons of a superior class?—*I have no doubt that in a body*

⁴⁹Vestry clerk and solicitor for St. Martin-in-the-Fields parish.

⁵⁰Samuel Jones Loyd, Lord Overstone (1796-1883), banker and financial expert, and Henry Hoare (1807-66), also a banker and active public figure.

of that kind the better class of persons have a degree of influence, almost insensibly, over those of a lower class, who perhaps have opinions of their own which they may be desirous to oppose to those of persons who are higher than themselves in society; but the able men of business generally lead the others.

2934. Do you not think that such men as you have mentioned, the higher description of tradesmen and persons of a higher social position than tradesmen, since they are willing to be members of your vestry, if there were a municipal corporation for the whole of Westminster would be still more willing to be members of that body?—*[Probably the reverse would be the case, as men such as Lord Overstone are interested in parish affairs.]*

2935. You say there are many persons of that class who have paid special attention to the local wants of their own immediate neighbourhood; that is no doubt very much the case in rural districts, but do you think it is the case in a great town like the metropolis?—*[Indeed it would be, for the great merit of vestries is that they attend to local business; a wider jurisdiction would lessen the feeling of authority.]*

2936. You think that the Corporation of Westminster would not have taken the measures which your vestry did to keep Leicester-square open;⁵¹ do you believe, from anything that you have heard, or any means of observation you possess, that the corporations of towns in general neglect the local interests of particular parts of those towns?—*No, I cannot see that there is any comparison there. A corporation in a town has no regard to parochial interests; it is a corporation for the whole of the town. Take the case of Manchester, Liverpool, or any other large towns. There they all have an equal interest with regard to the whole borough; but if there were ten or eleven corporations in the metropolis, each corporation would attend to its own local interests. Take the case of a corporation composed of nine parishes; it is obvious that each parish would only have the ninth part of the power. Instead of having exclusive power to remedy evils existing in his own parish, a vestryman would only be able, in a municipal body, to give one vote in nine in favour of a resolution which he could carry in his own vestry if he were sitting there.*

2937. Suppose this system existed, and that when anything was proposed for the benefit of one parish, all the others voted against it, would not the result be that none of the nine parishes would get what they wanted, whereas, if they followed a different plan, and the eight parishes voted in favour of the ninth parish, all the nine in their turn would get what they wanted?—*If they acted wisely; but I am afraid one cannot calculate upon that. I am supposing the case of a great expense being required to be incurred in one parish in which the other parishes were not interested. They would then say, "Why should we burden the borough rate for such a purpose? With regard to any improvement that may be required in our own*

⁵¹See "Proposed Market at Leicester Square," *The Times*, 27, 28, and 30 Apr., 1863, 6, 10, and 14.

locality, that is a thing which we must provide for when the time arrives; but at present it is an evil to us to have the borough rate burdened with a great expense in regard to a matter by which the borough is not benefited except as to a ninth part."

2938. Might not that happen in Manchester or Birmingham, or anywhere else, when something was proposed that would only benefit a particular quarter of the town?—*I think the comparison would not hold in the large towns, because the corporation there represents the whole of the body, and they would feel bound to attend to every portion. I have no doubt, in every body where influential persons take a lead, they would either obstruct or encourage something in which there were antagonistic interests of other parties.*

2939. If, in addition to local corporations, there was a general administrative body like the Boards of Works, and if there were the power of appeal which you have advocated, so that your parish could appeal to the general body against the adverse decision of the other eight parishes, would not that correct the evil of which you are apprehensive?—*No doubt; any appellate jurisdiction, if it was wisely executed, would be of great service, whether as regards vestries or corporations.*

2940. Who has the appointment of the officer of health to the vestry?—*The vestry appoint him.*

2941. They are bound to appoint an officer of health?—*They do appoint him.*

2942. Are they not obliged by law to do it?⁵²—*I think they are; I am not quite sure without looking into the Act of Parliament. The law gives them the power to appoint the necessary officers; I think it does not define them particularly. The vestries of district Boards appoint such officers as they deem necessary, either in regard to character or number, and they assign to them such duties as they think fit.*

2943. They are not necessarily obliged to appoint an officer of health?—*I think they are not necessarily obliged to do so.*

2944. But they generally do?—*An officer of health is appointed under the sanitary powers given by the Nuisances Removal Act, which are vested in the vestries.*

[*Dangerfield affirmed his general impression that the appointments, while normally made, were not mandatory.*]

2946. The salary is not fixed by law?—*The salary is fixed by the vestry.*

2947. From what you said I presume, that in your parish the vestry have a perfectly good understanding with the medical officer, and that so far as their legal powers reach, which you consider to be insufficient, they do carry out his sanitary recommendations; at all events, his reasonable ones?—*That is so.*

2948. Do you think that is the case generally in the metropolis; the contrary is

⁵²By sect. 132 of 18 & 19 Victoria, c. 120, vestries and district boards "shall from time to time appoint" medical officers of health; by sect. 9 of 18 & 19 Victoria, c. 121, they might appoint a sanitary inspector.

often asserted?—*I am aware that it is so stated, and it may be so in some instances; but I doubt very much indeed whether as a rule the vestries do not attend to the advice of their sanitary officers, so far as they have the means of doing so; I should be disposed to think that they did.*

2949. Did you ever hear of the case of an officer of health of considerable eminence having bestirred himself very much for sanitary improvements, and having had his salary lowered in consequence?⁵³—*I am not aware of that; I never heard of such a case.*

4 June

*Robert Gladding*⁵⁴

[*Again Mill opened a new line of questioning.*]

3245. Your district comprises a large number of parishes besides Whitechapel?—*Nine altogether.*

3246. What is about the extent of the district?—*Four hundred acres.*

3247. What proportion does that form of the parliamentary district of the Tower Hamlets?—*The Tower Hamlets measures, from the Isle of Dogs to Tottenham, seven miles. I do not know the acreage. Our district forms but a very small proportion of it.*

3248. What is the proportion of the population of the Tower Hamlets to that of your district?—*The population of the Tower Hamlets is between 500,000 and 700,000, and the population of Whitechapel district is 79,000.*

3249. You are aware that by the new Reform Bill the Tower Hamlets would be divided into two districts?⁵⁵—*I am aware of that.*

3250. Consequently if the municipal district were to correspond with the parliamentary district, which is the idea, the present dimensions of the Tower Hamlets would be considerably reduced; should you still think that one-half of the Tower Hamlets was too large a district for a municipal corporation which represented it to be able to attend to the local interests of all parts of it?—*I am not particularly acquainted with the plans that are before the public. I do not know precisely what the proposition might be. Suppose that the proposition were that half of the Tower Hamlets should be formed into a municipality or corporation, which corporation should have the control of its police, the division of the district into parishes for parochial purposes, and into wards for ward motes, then it is fair to conceive that local self-government would still exist; otherwise it would not exist; it would be superseded, and the idea itself completely destroyed.*

3251. What condition should you think necessary to render a municipal corporation elected by the ratepayers of one-half of the Tower Hamlets consistent with local government?—*Nothing less than I have said.*

⁵³An allusion to Edwin Lankester (see Q. 1833).

⁵⁴A bookseller living in Whitechapel.

⁵⁵In clause 13 of "A Bill for the Redistribution of Seats."

3252. In what way would those different provisions that you have mentioned operate as conducive to local government; I do not clearly understand why it is you think that the division, for instance, into parishes and wards, would make the difference between local self-government and centralization?—*In this way: you may have persons administering the affairs of others, or persons administering their own affairs, as in the case of the late vestry, and as in the case of some towns, I believe, in America, in New York, for instance, where persons administer their own affairs, and local self-government is perfect. If you ascend a step above that, where persons have their affairs administered by those who represent them, and those representatives are sufficiently numerous in every part of the district to be known to all those whose affairs they conduct, those persons bear the responsibility of freemen in local self-government, and they are taught continually in a school of freedom; those who are about them are also influenced by them to the same excellent results.*

3253. You think, then, that supposing half the Tower Hamlets were to be formed into a municipal corporation, and into a Parliamentary district also, and that in whatever division took place of the local duties of the metropolis, that municipal corporation were made one of the units of the division for all purposes, and supposing the numbers of the body were sufficient, and were elected locally so that every portion of the district might be represented in it; you think that such a constitution would be consistent with local government?—*Yes; you are now supposing something very like the City of London, which forms in its area something like what half the Tower Hamlets would be.*

3254. I mean something like the City of London?—*If you were to carry out the idea of the City of London, which has the management of its police, its parochial divisions and ward divisions, then, of course, I should be obliged to concede that local government would still exist.*

[*After other subjects, the question of the administration of public health arose.*]

3310. Do you not think that Parliament would be more easily induced to grant such powers to a larger district than to a smaller one?—*I do not know why it should.*

*William Henry Black*⁵⁶

[*Mill intervened in questioning about the affairs of Whitechapel.*]

3355. Is any portion of the local administration of your district conducted by paid officers?—*By surveyors, inspectors, and clerks.*

3356. A considerable portion, I apprehend, is directly conducted by the committees into which your body is divided?—*It is so.*

⁵⁶William Henry Black (1808-72), antiquary and assistant keeper in the Public Record Office.

3357. And the surveyors and other officers are appointed by the General Board of Trustees?—*By the several Boards.*

*Henry Sadler Mitchell*⁵⁷

[*The questioning began on the effectiveness and efficiency of the trustees in Whitechapel, of whom Mitchell expressed a highly favourable opinion.*]

3387. You say that there is a great attachment in your district to local government on its present scale, in preference to the larger scale of a municipality, and that great dissatisfaction would be felt if the smaller scale were exchanged for the larger?—*Within the last four or five years I have especially devoted my attention to the subject, and endeavoured to obtain the opinion of all classes of men, and I believe that any attempt to interfere with the present system would be productive of the very greatest discontent.*

3388. But I do not understand that the parochial system, properly speaking, exists in your district, because it is a combination of a considerable number of parishes?—*To some extent the parochial system has been interfered with, and I think to that extent it has caused dissatisfaction.*

3389. You think it would be more popular in your district if the parish of Whitechapel and the other parishes comprising the district were each of them to administer separately the affairs which are now administered by the joint body?—*I know that in Whitechapel it would be more popular if we were left entirely by ourselves.*

3390. Some of the parishes are exceedingly small?—*Yes.*

3391. There are many very small parishes in the metropolis, especially in the City of London?—*Yes; Sir William Fraser, in his book, says that the paving, and so on, has not improved during the last 10 years.*⁵⁸ *He was evidently of opinion that since the introduction of the Boards the work had not been done so well; I can hardly say that, because I think there has been an improvement in all things; but I am certain with regard to the parish of Whitechapel, from the present information we have upon the subject, that we should have been better off if we had kept entirely to ourselves.*

3392. Do you think that this is owing to the greater smallness of the district; that the smaller the district the better the pavement is attended to?—*I do; but of course there is a limit to that.*

3393. The parishes, however, are extremely unequal; and you can hardly say that sizes so very different can be equally adapted to be the unit of local government?—*I think that parishes may be too large; I think the parish of St. Pancras is too large, and the parish of Marylebone.*

3394. You think, with regard to such a thing as paving, that it had better be

⁵⁷Vestry clerk of Whitechapel.

⁵⁸William Augustus Fraser, *London Self-Governed* (London: Harvey, 1866).

conducted on a scale much smaller than the parish of Marylebone, or the parish of St. Pancras?—*Yes.*

3395. Do you think so with regard to all the duties performed by your Board, or only with regard to some of them?—*I think that all the duties would be done better by a more moderate-sized parish; I am well acquainted with St. Pancras, and I think it is too large; a considerable portion of it, however, consists of fields.*

3396. Do you think it is as easy to find competent persons to perform those duties in a small district as in a large one?—*Quite so.*

3397. Do you think that they are equally under the public eye in a small district; do you think that public attention is not more likely to be concentrated on the operations carried on, when the district is larger than an ordinary parish?—*No; I think it is better when they are carried on on a small scale, provided it is not too small. There is always a local press which exercises great control, as you have pointed out in your book.⁵⁹ If we had no local Board we should have no local press, because there would not be sufficient information to be given; but having a local press, the eye of the ratepayers is continually directed to the public affairs of the parish.*

3398. You have a local press for the parish of Whitechapel?—*It takes in two or three districts; it is published in Whitechapel, and it reports all proceedings of the Boards.⁶⁰*

3399. Do you not think it desirable that there should be a considerable admixture of different classes of society in the local government bodies?—*On the last occasion of choosing an overseer we elected the magistrate; but he said, "I cannot attend to the duties." If you choose merchants, and men with four or five thousand a-year, to go on to the Boards, they would not attend to them.*

3400. If they do not attend in a parish, do you not think they would attend in a larger body?—*I do not think they would.*

3401. Do you not think that a more important class of persons take part in the local business of the City of London than in the vestries?—*Not in the Common Council; I do not think that the Common Council is composed of a better class of men than the trustees of the parish of Whitechapel, having regard to the fact that the City of London is a more important place than Whitechapel. I have not seen any business conducted at any Boards better than it is conducted by the trustees of Whitechapel; I have read the reports in the debates of the House of Commons, and without claiming for the trustees as much learning, I do claim for them quite as much orderly proceeding.*

3402. From your knowledge of other vestries and local Boards generally, do you think you can give the same degree of praise to all or most of them?—*I*

⁵⁹Presumably an allusion to *Considerations on Representative Government*, CW, XIX, 542, which points out that the local is less powerful than the national press.

⁶⁰Perhaps the *East London Observer* (1857-1928).

frequently read the reports of the St. Pancras Board, and I think it is quite as orderly as any assembly in the kingdom.

3403. Do you think that there is as much variety of intelligence, and that large views are as much brought to bear on local affairs, as would be the case if those who take part in those affairs were of a more mixed character than they are now?—*It would not do to have all philosophers; but I believe, for the work that is to be done, the men who compose those Boards are the best that can be found.*

3404. There are no other class of men, I apprehend, that could be found to discharge the bulk of the duties; but would it not be desirable that there should be a certain proportion of persons not so purely local in their ideas?—*I think that the Boards are always composed of a mixed class; I have looked through the lists of Marylebone and St. Pancras, and I find that those Boards are composed of a class of men who, from my knowledge of them, would conduct the business of the parish in the best possible way.*

3405. But Marylebone and St. Pancras are large parishes, approaching in magnitude the proposed municipalities, and certainly in Marylebone there is a much greater mixture of classes in the vestry than there commonly is in the vestries in London; do you think that the same character could be given to the other vestries generally?—*Speaking with regard to my own parish, I think you could not have a better class of men to do the business.*

3406. You do not think that it could be improved by persons of a different class being combined with them?—*I do not think they would take the trouble, because a great deal of the business of the parish is managed by Committees; and my experience of men possessing large incomes is, that they would not take the trouble to attend.*

3407. They do take the trouble to attend in Marylebone?—*I cannot say in Marylebone; they are a highly respectable class of men as a rule. You heard Mr. Gladding's evidence in that respect.⁶¹ I entirely concur in what he said, and I believe the work is done as well as it can be done.*

Robert Freeman⁶²

[General questioning led to discussion of the membership of the vestry, Freeman being of opinion that the proposed centralization would make such service less attractive.]

3466. I understand, from your description of the composition of your vestry, that it contains a very considerable number of persons of a superior class?—*Yes;*

⁶¹At Q. 3128, Gladding had averred that, of the 58 members of the Whitechapel Board of Works, 52 were tradesmen, but that "there are not more than 16 out of the 52 who are not men of property distinct from their trades; and the rest, so far as I know, are respectable tradesmen."

⁶²Member of Kensington vestry, and its representative on the Metropolitan Board of Works.

that is naturally owing to the circumstance that there are an unusual number of persons of leisure and cultivation who inhabit the district of Kensington.

3467. I think you said that it would not be possible in poor districts to obtain the same class of persons?—*No, I think not.*

3468. If that be the case, do you not think that if geographical circumstances admitted of Kensington being combined with other parishes which have not this advantage in the same degree, these poorer parishes, as well as Kensington, would get the advantage of that selection of persons of a more cultivated class, who now give their services to Kensington vestry?—*[There would not be mutual benefit; Kensington would pay the penalty, while such areas as Fulham and Hammersmith would gain the reward. Furthermore, those now serving would not be willing to go farther afield, and they would be frightened out of service by the term "alderman."]*

3469. The dignity of alderman is not very popular in your parish?—*It would be if the Corporation of London governed the whole of the metropolis, and you had a real alderman; but if you multiplied municipalities, and had aldermen as thick as blackberries, it would be a mockery and a delusion rather than a compliment.*

[Only if the dignities were real would they be respected.]

3472. You would reserve those dignities, perhaps, for the general body that would administer the concerns of the whole metropolis?—*If the City of London had been wise enough to open its arms and take in the whole metropolis, so that there should be one Lord Mayor, and an efficient number of aldermen, one to each district, then there would be something in it; but as to having 11 municipalities, with a multitude of aldermen, I feel sure it would not induce the better class of our population to join the vestry or the municipality.*

11 June

Jonathan Salter⁶³

[Mill opened a new line of questioning, the preceding evidence having covered a variety of matters local to St. Pancras.]

3826. Yours being a very large parish, and having so much local business of various kinds, probably your attention has been drawn to the subject of the municipal government of London, and you have, perhaps, formed some opinion as to how far it is defective or admits of improvement, if so, will you state what are your opinions on that subject?—*I think, as far as St. Pancras is concerned, we have, to a certain extent, a municipal government; that is to say, we have a very large area, and have a large number of representatives, and, I think, we do our work in such a manner that we are, to a certain extent, a municipality. I know it is*

⁶³Chairman of the Board of Works of St. Pancras district.

the opinion of some gentlemen that it would be much to their advantage if there were aldermen and so on, but I question if a man who is really anxious for the welfare of his neighbours cares whether he is called a vestryman or an alderman.

3827. You are acquainted, no doubt, with the plan of municipal government for London, which has been drawn up chiefly by some vestrymen of Westminster?—*I have seen it.*

3828. Have you any remarks to make on that plan?—*I have nothing particular to say in favour of it.*

3829. Have you anything to say against it?—*I do not wish to say anything against it.*

3830. If your experience suggests any objections to it, I have no doubt the Committee would like to hear them?—*As far as regards the area that we have under our control, I do not think it would be any advantage; doubtless there are localities, that are not managed as we profess to manage our affairs, where it would be an advantage; what I feel is this: that I should object to our having a larger jurisdiction saddled upon us with a body who would not understand our business as thoroughly as we do.*

3831. Your body, I conceive, is a kind of specimen of what the municipal governments of the districts of London would be under the proposed plan, because its district is very large and populous, and is on a scale, not indeed quite so great, but approaching the size proposed?—*Yes.*

3832. I think the only district of importance which would be added to yours under the proposed plan, would be the parish of Bloomsbury?—*Yes.*

3833. Do you see any disadvantage in the junction of the parish of Bloomsbury in the same municipal body with yourselves?—*Some portions of Bloomsbury very closely abut on us, but if Bloomsbury were attached to St. Pancras, speaking in a parochial sense, it would naturally be anxious to return a large number of members, and they would not be so well acquainted with the wants and requirements of St. Pancras as the St. Pancras authorities at present are.*

3834. But, no doubt, in any municipal body, the members who represent particular wards or districts, would be those chiefly consulted in regard to the wants of their own districts, except when the subject was one to be decided on general principles common to all, so that it is not probable that the unacquaintance of the people of Bloomsbury with the wants of St. Pancras would be any damage to St. Pancras; in fact, that objection, if it applies at all, would apply even to so large a district as St. Pancras, because it is impossible that the inhabitants of every part of St. Pancras can be well acquainted with the wants of every other part; is not that so?—*There is an interchange of communication among the representatives of the vestry; for instance, the outer section is represented by its members who meet the representatives of the others, and so they become acquainted with each other's wants.*

3835. Would not the same thing take place between the representatives of Bloomsbury and St. Pancras if they were united in one body?—*I do not see why it should not.*

3836. As I understand, the vestry of St. Pancras is composed of a considerable mixture of various classes of society?—*Yes.*

3837. In that respect, it is more a specimen of what would exist under the municipal government proposed, than a specimen of the municipal government which exists throughout the metropolis at present; do you not think that if the municipalities were usually on a scale equal to, or somewhat greater than St. Pancras, instead of being as they are, in most cases, much smaller, there would probably be a considerably greater mixture of classes, and that persons would be obtained of a better position in society, and better general instruction?—*I quite agree with that; I think the area should be sufficiently large to entitle it to members who would represent all bodies; I think it might be an advantage that small areas should be increased to larger ones.*

3838. You think that the area of St. Pancras is sufficiently large?—*Yes.*

3839. Although you do not think that some moderate extension of it would be decidedly objectionable?—*I confess I cannot see the general advantage that would be derived from it.*

3840. Would there not be an advantage in the junction of a district such as yours, where persons are willing to serve in the municipal body, who have more than an average education and position; do you not think that by the junction of such districts with other districts that have not the advantage of generally obtaining so good a class of men, those other districts would also obtain the same advantage as St. Pancras, to a certain extent, now possesses?—*Unfortunately, men of scientific attainments seldom trouble themselves much with these affairs, even in municipalities.*

3841. But do you not think that they are more likely to do so where the districts are large?—*I think that the vestry of St. Pancras stands on a par with the Common Council of the City of London, which is the greatest municipality, I suppose, in the world, consisting of men of all shades and degrees.*

3842. Do you not think that that is the sort of municipal council which it is desirable to endeavour to obtain in every part of the metropolis?—*I must say that, as far as St. Pancras is concerned, I do not think it would be an advantage.*

3843. Because you consider that, owing to its extent, it possesses, in a great degree, the advantage which it is desired to confer on other parts?—*Yes. No doubt, smaller areas would be improved by having other areas added to them; but I think we have as large a machine as can be properly worked. I think the inhabitants generally would suffer, if the area was made larger. I think they would not have that ready means of communicating with each other, which is so necessary in all local matters.*

3844. You think that the extent of the Parliamentary boroughs would be too great?—*I think so.*

3845. You are aware that in the proposed plan the districts would not be so large as the present Parliamentary boroughs?—*No.*

3846. Your parish would be included along with Bloomsbury, in a district subtracted from two Parliamentary boroughs, and Tower Hamlets would be divided?—*Yes. If you extended our area we should require two medical men. I question whether there is not sufficient employment at present for one with a staff under him; whether it is not better to have one head, with subordinates under him, than two; one for one division, and another for the other. I think there would be clashing.*

3847. Do you think your district so large that one medical man, even with the necessary number of subordinates, could not superintend it?—*I think not. I am speaking in a sanitary point of view, as regards drainage. I am referring to the medical officer of health now, not to the persons who attend to the sick poor.*

3848. Still smaller districts would be required for that?—*Yes; we have medical officers for that purpose in each district.*

3849. Has your Board generally a good understanding with the sanitary officers; do you go on smoothly with them?—*Pretty amicably. I have known occasions when a little ill feeling has arisen when the sanitary department has called for something to be done on the spur of the moment; but, as a rule, they generally agree.*

3850. You have sometimes thought that the recommendations went beyond the necessity of the case?—*I have had no occasion to think so; some members have; but as a rule the sanitary measures are carried out.*

3851. As a rule the recommendations of the sanitary officers are carried into effect by the vestry?—*Yes; with perhaps some trifling exceptions now and then.*

3852. Is there any improvement that you would suggest, in the way of increase of power to the local Boards, or any new functions that you would entrust to them; would you give them, for instance, any power with regard to water or gas?—*That is a difficult question. I think the House of Commons should step in and settle that question. Where money is invested by various companies, it is rather difficult to step in and tamper with the subject.*

3853. The House of Commons alone could give such power, and could alone determine what course should be taken with regard to existing companies; but have you not formed any decided opinion on that subject?—*No.*

*John Richard Collins*⁶⁴

[*Collins admitted that the title of "alderman" was attractive to him, and that if the office of mayor were provided locally it would be actively sought.*]

⁶⁴A chemist and member of St. Pancras vestry.

3995. Do you not think that that would be still more the case if the area of jurisdiction were increased to a certain extent?—*That, as a general principle, would be the case, but St. Pancras is a large city; as it is, there are 200,000 inhabitants in it, and probably in 20 years there will be 300,000.*

3996. Do you not think that if the metropolis were divided into municipal districts about the size of St. Pancras, containing 200,000 or 300,000 inhabitants, it would be an improvement?—*Yes; and I think the governing bodies would have great importance in the public eye.*

[*The questioning turned to the matter of annual elections, which Collins opposed.*]

4043. Do you not think that, even if the elections were annual, the same persons would generally be re-elected, unless they had shown themselves incapable?—*Very likely. I have been elected for the fourth time. Unless there is any special objection, I think the members who are at all useful would be retained.*

[*Collins averred that the costs of election in wider constituencies, such as that of mailing circulars, would deter people from standing.*]

4051. Would it not be necessary, if there were various candidates, to send circulars to the ratepayers?—*I think they would do so. When we fought by parties we did so; we spent a great deal of money. A contested election used to cost, I daresay, £700 or £800 on the two sides; we were obliged to spend a great deal of money; we had to bring up the ladies in carriages.*

[*The suggestion was made by the Chair that voting papers would reduce trouble and expense; Collins disclaimed experience of them.*]

4057. The vestry is not elected by voting papers?—*Yes, when there is a contest; but there must be personal attendance.*

[*The voting paper is folded, so in effect it is a secret ballot.*]

4059. If the papers were collected from house to house, it would not be necessary to bring up the ladies in carriages?—*There would be no necessity for it.*

14 June

William Clark⁶⁵

[*Mill returned to one of the many topics covered in Clark's evidence.*]

4243. I understood you to say, that there was great difficulty in inducing persons to accept the office of vestryman?—*There is a difficulty in getting what is called the more wealthy classes to serve; they come into town in the morning and leave it in the afternoon, and even if they were elected, I do not think that they are so*

⁶⁵Member of the vestry of St. George's in the East.

conversant with the wants and necessities of the parish as the persons who now form the bulk of the vestrymen.

4244. Do you not think that it is an advantage to a body of that sort to have a mixture of various classes of persons; some of the class you have mentioned, and perhaps a greater number of the classes who are now willing to be vestrymen?—*I should be glad to see it so, but I see no hope, make the qualification what you will, of inducing them to serve; I have tried it over and over again; we have had one or two large sugar refiners members of the Board, but they did not stay long; they very rarely attend even when they become members.*

4245. Do you not think that if that district was larger, and if the vestrymen were more in the public eye, and more commented upon by the press, if more distinction could be obtained by serving the public in that way, there would be less difficulty experienced in inducing persons of a superior class to serve with others in the vestry?—*I have great doubt about it. The same complaint is made with regard to the corporation of the City of London, that the great merchants will not come forward; and certainly if honour and dignity would induce them to come forward, the office of Lord Mayor of the City of London might be expected to do so; but the same complaint is made even there.*

[Amongst other issues, the reasons for occasionally not accepting the lowest bids for public works were discussed.]

4363. If any person's offer was rejected while the tender of some one else, though higher, was accepted, would the person who made the lower tender have a right to challenge the decision, and demand that the committee which rejected the offer should give its reasons?—*If he chose to do so the committee would not hesitate to give their reasons.*

William Francis Jebb⁶⁶

[*The interrogation settled on the inconveniences of the irregular boundaries of the parishes of St. Margaret's and St. John's, Westminster.*]

4475. Does not St. Margaret's reach into the middle of Kensington Gardens?—*We have no jurisdiction there; but I think the boundary of the parishes runs along by the Serpentine.*

4476. I believe there is a stone with the initials of your parish on it in the midst of Kensington Gardens, not far from the Round Pond?—*I believe there is.*

18 June

Dr. William Tiffin Iliff⁶⁷

[*The witness described the filthy habitations of the coster-mongers and even lower classes in Newington.*]

⁶⁶William Francis Jebb (1828-90), lawyer, became clerk to the Westminster Board of Works in 1867.

⁶⁷Medical Officer of Health to the Newington vestry.

4821. What is the condition of the common lodging houses in your parish, to which the recent Act applies?⁶⁸—*They are in a very good condition; we have only one set in Kent-street; I was over them all about a month ago, when they had received their cleansing, and were in a very good condition; I only wish the poor as a rule had places to live in like them.*

4822. Have you ever taken into consideration the expediency of extending to other houses, the houses of the respectable poor, any of the powers which already exist in regard to the very lowest class of lodging houses?⁶⁹—*Yes; the Association of the Officers of Health have embodied that in a memorandum submitted to the Home Secretary, suggesting that they should have some power over the rooms.*⁷⁰

25 June

Daniel Birt⁷¹

[*In discussing the actual practice and qualifications for election to the Metropolitan Board of Works, Birt distinguished between the requirement for Parliament in the Reform Act of 1832, "a male person of full age," and for the Board, merely "a person." He then said he thought he knew who would have been first elected to the Board had there been an open election.*]

5190. Do you think it would have been "a male person of full age"?—*I think it would.*

[*After having dwelt on the quality of the vestrymen, the questioning turned to expenses of local administration.*]

5211. You said that some years ago there was considerable agitation in the parish owing to the dissatisfaction with regard to local management as it existed at that time, but that this dissatisfaction having ceased, the agitation subsided; is the reason of that, that the dissatisfaction not having been originally well grounded has died away of itself, or has the local management improved since that time?—*I think the local management has been very much improved since that time.*

5212. In what respect does the local management differ from what it was at that time?—*It is much more systematic. The officers have a differently constituted body to supervise them; the vestry which sits fortnightly, but which formerly was only called together as the church-wardens and overseers chose to call them. As an illustration of my statement, I can only say that a gentleman who used to agitate*

⁶⁸Mill is probably referring to "A Bill to Amend the Law Relating to the Public Health," which had been introduced into the Commons on 6 June (*PP*, 1866, IV, 375-98). Clause 32 enlarges the powers of the sanitary authorities to inspect, cleanse, and ventilate the common lodging houses. It received royal assent on 7 August.

⁶⁹By virtue of the Common Lodging Houses Act of 1851.

⁷⁰"Suggestions, by the Medical Officers of Health of the Metropolis, for Amendments which they Deem Desirable, in the Existing Sanitary Acts," App. 9 of the "Seventh Report of the Medical Officer of the Privy Council," *PP*, 1865, XXVI, 531.

⁷¹Died 1878, a draper, vestry clerk of St. George-the-Martyr, Southwark.

the parish a good deal, and was a member of the vestry, has retired from it; and he told me a few days ago that his vocation had gone; that he had nothing to find fault with now, and therefore he preferred quietly to retire.

5213. Was the agitation that previously existed all antecedent to the Metropolis Local Management Act, or did it go on under that Act during the first year?—*It went on after the Act came into operation with regard to the appointment of vestrymen; but, as I said, from that time it has gradually subsided and become less and less.*

5214. The improvement that you consider to have taken place, the more systematic management, dates from the Local Management Act, I suppose?—*I think so.*

5215. Or has it been introduced by degrees?—*[The Act greatly increased the functions of the vestry, and the consequent agitation arose over the patronage connected with the position of overseer. With the present low turnover in the office, there has been less agitation; perhaps also there are fewer subjects to agitate about.]*

5216. Now that there is no agitation there appears to be some difficulty in inducing people to offer themselves as candidates even for the vestry?—*[There is no shortage of persons to serve as vestrymen; there is, however, little need for candidature. People are not anxious to be in office, but they perform well when elected.]*

5217. They are elected more by a spontaneous choice of the parishioners than by their offering themselves?—*Yes; to a very large extent it is so.*

5218. Have you ever considered whether an enlargement of the area of local management would be desirable; whether a larger district than a single parish—not a very large one, which I believe yours is not—might not be advantageously managed by the same body, and whether in that case it would not be likely that you would more easily obtain persons of education and position to fill the office of vestrymen, or whatever office corresponded to it?—*I think, perhaps, it would have been advantageous had the Legislature made the districts somewhat larger than they are at present; but the vestry that I happen to be connected with does not view with any sympathy the project for consolidating the whole metropolis; say into three large municipal bodies.*

5219. No one has proposed so small a number as you mention. The proposition which involves the fewest, is that of making the municipal bodies correspond with the Parliamentary boroughs,⁷² in that case yours would be extended to the whole of Southwark. What would be the particular nature of the objections the vestry would feel to such an extension as that?—*I am not prepared to say that the vestry has any feeling of objection to it.*

⁷²That proposed by the Commissioners reporting on the Corporation of the City of London in 1854; see No. 93, n7.

5220. You only think that they are well satisfied with the system as it is, and that they do not think it requires much amendment?—*They appear to be perfectly well satisfied with the system as it is working at present.*

5221. Do you not yourself think that the acting on a large scale on the one hand, would produce a greater disposition on the part of persons of position to become members of the body; and on the other, that it would give greater publicity, that the management would take place more in the eyes of the public, and that being conducted on a larger scale it would be possible to subdivide business and confine each part to persons of higher qualifications than are obtained, or can be obtained at present on a small scale?—*I doubt if persons of higher qualifications would be obtained for the position by making the area in our locality co-extensive with the Parliamentary borough.*

5222. You think that the greater importance of the duties, and their being more in the public eye would not be an additional inducement to persons to offer themselves and take the trouble?—*They would have the same duties considerably extended; I do not think they would be rightly described as more important.*

5223. They would be the same duties, but the amount of duty, responsibility, and power which the persons so elected would exercise would be greater, owing to the greater extent of the district?—*I do not think that a better class of persons would be induced to come forward by an enlargement of the area. I ground that upon my knowledge with regard to the Metropolitan Board itself. I think that that which is a larger body than these bodies to which you have been referring, would not, if there were a general election by the ratepayers elicit the candidature of persons better qualified than the present vestrymen.*

[Birt reaffirmed this judgment in response to other questions.]

5231. You would not see any inconvenience in persons of the same class as now form your vestry, serving along with persons of another class in a larger body?—*At present the persons who are elected by our parish to be vestrymen arrange their own time of meeting. They meet at six o'clock in the evening for their own convenience, not for the convenience of their officers. I should be glad (I know they cannot do it, and therefore I do not ask it nor expect it) if they could meet in the ordinary business hours, that we might get through the business as other professional persons do; but with regard to our own parish if we were merged into a municipality that met in the middle of the day, I doubt whether we should not, to some extent, be virtually unrepresented, because those who would be elected would probably not be in a position to give the attendance which they now give at six o'clock in the evening.*

5232. Do you think that any such body as that would establish hours of meeting that would necessarily exclude a considerable number of those who would probably be, and certainly ought to be, elected to form part of the body; do you not

think that such a course would be very unpopular, and that the members would not be elected again if they established such unreasonable rules?—*I find that some metropolitan vestries which are in a very different position from St. George-the-Martyr, Southwark, are able to meet in the middle of the day. Inasmuch as I do not know exactly what would be the limits of any one of the new bodies to be formed, I cannot say what hour would be reasonable for them to meet. I merely say that if they were to adopt greatly different hours from those which obtain among ourselves, the present members of the vestry would be unable to attend in consequence of their own avocations.*

Henry Bidgood⁷³

[The questioning dwelt on matters pertaining to election.]

5323. Have you turned your attention to whether it would be desirable that the area of management should be extended beyond the parish: do you not think that even with those functions which you propose for giving additional publicity to the election there will still be less interest taken in becoming a member of the board of management for the parish only than there would be in becoming a member of a smaller body for the whole City of Westminster?—*I do not think that the difference would be very great, but I think certainly that Westminster is not too large for one municipal election. It has been a favourite notion of mine for the last 20 years.*

5324. The whole of Westminster?—*Yes; after all I think it is not larger than Marylebone.*

5325. If there were a greater unwillingness to become a candidate for the larger district than for the smaller, still the fact that you would not need so many persons to offer themselves for Westminster as you would need for all the parishes into which Westminster is divided, would in itself be an advantage, and would give a greater choice of members?—*Yes; I think that 48 men for our parish is too large a number, and the thing ceases to have that honour attached to it which it would have if the vestry was composed of half a score or a dozen persons.*

[The greater office would be more sought after.]

5327. You think that if 48 or double that number were elected for the whole of Westminster it might be felt to be a considerable honour to be one of them?—*I think that 48 men could manage Westminster very well.*

[Bidgood expressed himself in favour of voting papers.]

5346. The board of guardians are elected by voting papers, are they not?—*Not with us.*

⁷³Vestryman of St. James's parish, Westminster, and its representative on the Metropolitan Board of Works.

28 June

George Henry Drew⁷⁴

[*Mill started a new subject for this witness.*]

5598. Do you think that your district is as large a one as can be advantageously managed by the same body, or have you turned your attention to any of the proposals that have been made for forming larger districts, in one of which your district would be included, and having a municipal administration for that larger district elected in the same way as at present, by the ratepayers?—*I do not think the present body could with advantage administer a larger district than it does now.*

5599. It would require a more numerous body?—*Rather a body of better capacity.*

5600. Do you think it would be likely if a larger district were embraced in its sphere of operations, that persons of superior capacity would be more disposed than at present to act upon the Board?—*I think there is no doubt of it.*

5601. So that on the whole you think there would be probably a more capable administration for the larger district, although the present one may be adequate to carry on its operations in a tolerable manner?—*I think probably that would be so; whether it would be desirable or not I do not say.*

5602. Have you formed any opinion whether it would be desirable?—*I think so far as the parish is concerned that it is very well administered by the men who now administer its affairs. It is much to their advantage to have to administer the affairs of the parish in the way they do.*

5603. In what respect to their advantage?—*It is an advantage to them to have to administer their own affairs.*

5604. Do you mean that their affairs are better attended to in consequence, or that it is an exercise to them?—*It is an exercise to them; whether any larger body with a larger area might administer the affairs of the larger area better, I have not formed any opinion.*

5605. The exercise of mind would be still more valuable in that case?—*But in that case you would not have the same class of men to administer the affairs of the district.*

5606. You would have some of the same class and others of a superior class, would you not?—*Not knowing what the mode of election would be, I cannot say.*

5607. Supposing the election was by the ratepayers, as at present, in different wards it would naturally happen that the Board would have a more mixed composition, and do you not think that the acting in concert with persons possessing still higher qualifications than those who now act, would be a great advantage, and that the exercise of those functions would be a greater means of improvement to their own minds than they have at present?—*Without doubt. I think that is what we want in the vestry of Bermondsey; an addition of persons of a superior class. They are now apt to be led by one or two men who have rather more*

⁷⁴George Henry Drew (1817-1906), solicitor, vestry clerk of Bermondsey parish.

knowledge of public affairs than the rest, and not always, perhaps, in the right direction.

5 July

Dugald Edward Cameron⁷⁵

[*Mill was the first questioner after the Chair's identifying queries.*]

5619. Have you been a candidate to represent St. Pancras at the Metropolitan Board?—*Yes, at the last election in June.*

5620. Are there any circumstances connected with that election which you wish to state?—*The peculiarity of the election, if it can be so called, is this: the last member retired by rotation; and 12 months previously to his retirement, promises from individual members of the vestry were extracted before it could possibly be ascertained who were the candidates, in order that the members of the vestry might make a selection.*

5621. This was at the election previous to that at which you were a candidate?—[*Josiah Wilkinson, an eminently valuable member from 1856 to 1864, found to his surprise when seeking re-election that successful solicitations had been made to individual members of the vestry to support another candidate.*]

[*Wilkinson had served on the Metropolitan Board.*]

5623. Were any public grounds of opposition to Mr. Josiah Wilkinson stated?—*Not any public grounds. The most public ground that I can recollect was very frivolous, namely, that all the honours should not be centred in any one individual for any lengthened period; that, however eminent and desirable his services were, a change, whether for the better or worse, should take place.*

5624. Do you think that, on that occasion at any rate, the election was carried against him rather by a private intrigue than by a fair public opposition?—*Completely so, because several members of the vestry who had signed that paper, told me afterwards that they had little idea that they had pledged themselves to give their votes, that they only intended to solicit Mr. Taylor to come forward, not that they had pledged themselves to vote for him in opposition to Mr. Wilkinson. In fact, great misapprehension prevailed on the subject. It was supposed that because the term of office of Mr. Wilkinson was about to expire, he would not be a candidate for the next election.*

5625. Do you suppose that any undue influence was used, or that any undue influence was used to induce these vestrymen to give their promises?—*I am not prepared to say that.*

5626. You were a candidate last June for the purpose of counteracting this system?—[*Knowing he would be defeated, Cameron wished to expose the practice.*]

5627. You think that the sitting representative of your vestry in the Board of

⁷⁵Solicitor and member of St. Pancras vestry.

Works made use of his position as a means of canvassing for re-election?—*The member of the Board of Works is not necessarily a member of the vestry, but he is generally so, and by means of contact with other members he has, in that way, the opportunity of pursuing that system.*

5628. Should you propose, with a view of obviating occurrences of this kind, any change in the mode of electing members of the Board of Works?—*I think that the election is very unsatisfactory in one sense, and the ratepayers from whom such large sums are paid for the metropolis should have vested in them the right of election. It has been said that the expense would be so great as to prevent any gentleman seeking election, but I cannot see that that is a sufficient objection; because the expense for the election of vestryman is nothing, and the election of a member to the Metropolitan Board of Works might take place at the same time, and the expense come out of the same parochial funds; the members of the vestry have no expense whatever to incur, and if the election to the Metropolitan Board was under the same management, the objection as to expense would not apply.*

5629. You think that the ratepayers might vote for the vestrymen and for the member to the Metropolitan Board of Works at the same time?—*I think that might be effected.*

5630. In what way should you recommend the votes to be given; by voting papers or by a poll?—*I think voting papers would be preferable to the present system of electing vestrymen; very few persons take the slightest interest in the election at present and it is limited to a very few persons; any names that 10 or 12 gentlemen may select are sent to the electors, and when the election takes place, perhaps 20 or 30 persons decide who shall represent the different wards of the parish.*

5631. Do you think that if the ratepayers were called upon to nominate a member of the Board of Works at the same time as the vestry, a greater and more general interest would be felt by them in the elections?—*I think so, for this reason, an election for one-third of the vestrymen takes place annually, but the election for a member to the Metropolitan Board of Works would only take place triennially. I think it would bring the ratepayers, in some measure, to look to the importance of the representation in both Boards, the vestry and the Metropolitan Board.*

5632. You find that the interest taken by the ratepayers in the election of vestrymen at present is not great?—*[After considerable activity in 1856 there has been a great decline in interest, though at the last election there was a general desire for improvement.]*

5633. If I understand you, a kind of reaction has set in now, and a greater interest is taken in the elections?—*Not among the ratepayers, but amongst the members of the vestry themselves; they would like to elevate their position by getting a superior class of men among them.*

5634. Do you ascribe that want of interest, on the part of the ratepayers, merely to the fact that the novelty has worn off, or to mere general apathy and

indifference, or is it because they are satisfied with the way in which the parish is managed?—*I think it arises from apathy and indifference, and the trouble that it takes to record their votes, by going to the polling booth, or any other place appointed for the reception of votes.*

5635. Do you think if the district were enlarged, if, instead of a parish, it were a municipality, embracing, for instance, the whole of a Parliamentary district, that there would be a greater interest in the election felt by the ratepayers?—*It is difficult to answer that question by anticipation; if there were a popular out-of-doors election, or anything of that description, I think the same class would occupy positions in the municipality that they do now in almost all the vestries.*

5636. What means would you suggest by which a greater interest could be excited, or a superior class of persons could be induced to become candidates?—*By mean of papers left from house to house, as in the case of the guardians.*

5637. Would you propose that as a means of inducing a greater number of ratepayers to vote?—*Yes, I think it would have that effect.*

5638. Do you not think that there would be some danger that those who did not sufficiently care about the subject to vote at all unless the voting paper was sent to them at their houses, would be willing, if it were sent to them, and they could vote without trouble, to vote almost for anybody who asked them?—*No, I do not know that would be the case; I think they would be more likely to communicate with their immediate friends, and ask them what they proposed doing with reference to the election, so that the subject would be more ventilated.*

5639. You think that leaving voting papers at the house with lists of candidates would excite conversation, and so create a greater interest in the subject, and that people would be better able to concert together?—*I think that would take place.*

5640. You think, perhaps, that under the present system the generality of the ratepayers never have their attention called to the fact that there is an election at all?—*That is the case in our parish; there is a ratepayers' association in every ward; they call public meetings of the ratepayers, but the apathy is so great that not more than 100 persons ever attend any gathering of that description, and, perhaps, two-thirds of those are not ratepayers.*

5641. Do you think that leaving a mere notice of election, with a list of candidates, at the house of every ratepayer, would have the same effect in drawing attention to the subject as leaving a voting paper?—*You must send a list of candidates with the voting paper.*

5642. Suppose that the voting were to take place in the way in which it takes place now, but that lists of candidates were left at the houses of all the ratepayers, so as to make them aware more certainly than they are now that an election is coming on, or that the election is to be contested, do you think that this would produce the same effect on their minds in exciting an interest in the subject, and inducing them to ask questions about it, as if voting papers were left at their houses to be filled up?—*I think not nearly so much interest, because it is even a trouble to*

them on their way to the City to go and give their vote, and perhaps if they all did so in the morning, there would be such a rush that the poll could not be taken sufficiently quickly, and they would object to spend a quarter or half-an-hour of their time; the poll concludes at four o'clock, so that on the return of those persons, even if they desired to vote, they would not be able to do so.

5643. Many persons are prevented now by the inconvenience of voting, which would be removed by means of voting papers?—*That is my opinion.*

5644. Suppose that instead of a single parish there were a municipality, co-extensive with one of the Parliamentary districts, should you think that this would be an inducement to a superior class of persons in education or social position to become candidates beyond what can be expected at present?—*I am hardly sufficiently acquainted with municipalities generally, but I think in such a parish as St. Pancras, where most of the gentlemen are mere residents in the squares and places of that description, having their business elsewhere, they would not care much about forming part of a municipality, any more than they do about becoming vestrymen; yet I think it would be desirable that something of a character should be given to the office beyond that of a mere vestryman; it would perhaps have a beneficial effect. There is an idea about a vestry that is not very palatable to the minds of people in the metropolis; and I think something might be done to raise its character.*

5645. You think greater dignity might be given to the office?—*I think so. The term "vestryman" conveys an imperfect idea of the duties under the Metropolis Local Management Act.*

5646. Possibly also more extensive duties might be confided to a municipality than would be entrusted to a vestry, although the duties of the vestry are now considerable?—*They are quite beyond the original intention; the sewers, lighting, and other sanitary matters, are quite beyond anything that was intended for vestry purposes.*

5647. If municipal bodies were created for districts equal to, or nearly equal to, Parliamentary districts, are there any additional powers which you think might be advantageously entrusted to those municipalities?—*I think if they could have the control of gas and water it would be an advantage; and I think also that they ought to have the rates arising from carriage duties; in fact, if it be a municipality in reality it ought to be so, I venture to think, as regards taxation and the means of support.*

5648. Supposing there were, in addition to these municipalities, a general body for the whole metropolis, either constituted on the basis of the City of London, with its jurisdiction extended and its constitution enlarged, or on the basis of the Board of Works, should you think that these duties, with regard to gas and water supply, would be better entrusted to the separate municipalities, or to the general one?—*I think to the general one.*

5649. Are there any other changes that you would suggest, from your

experience of the local management of the metropolis?—*I have not considered any.*

5650. Is there any other statement you wish to make?—*No.*

*John Layton*⁷⁶

[The witness complained of the legal delays preventing rapid enforcement of the Nuisances Removal Act.]

5761. What would you recommend?—*That the first order should be final; that it should not be necessary to summon a man to show cause why he has not complied with the order, since its tendency can only be delay.*

5762. Would you empower the vestry itself to give the order?—*No, the magistrate; but one order should be sufficient.*

5763. You would have the order of the magistrates to abate the nuisance made compulsory)?⁷⁷—*Peremptory in all cases.*

5764. If the person to whom the order was given did not remove the nuisance, the order should at once be enforced?—*Yes, and we have ample powers.*

5765. You have powers sufficient to enforce the order of the magistrates, if you were allowed to do so, without summoning the man to show cause?—*Yes; I think, however, that it would be found necessary to increase the staff of magistrates. Recently, under all these Acts of Parliament, the magistrates have been almost overwhelmed. Many compensation cases under Railway Acts come before them, and so with small tenancies under £10, and many other things; their jurisdiction has become so extended that physically it is utterly impossible for them to carry it out. I am sure that no gentlemen can assist us more readily than the magistrates at Clerkenwell and their clerks, but I am compelled to make out all my own summonses, and take them there cut and dried, and to draw out my own orders.*

5766. Do you consider these duties to be properly imposed upon the magistrates?—*I should like to see a court for the whole of the metropolis to take these matters into consideration; there is work, I think, for a magistrate sitting every day in such large parishes as Islington and St. Pancras.*

5767. The matters you are speaking of are of a judicial kind, such as determining the amount of compensation?—*There is a great deal of that, and no doubt a judicial mind is required.*

[It would be convenient to go before a county rather than a police magistrate.]

5769. Have you a body of local justices sitting regularly?—*No; they sit in the Sessions House at Clerkenwell, but they favour us by coming to the vestry hall to hear summons upon the rating, and also with reference to weights and measures.*

[They would provide a good and fair tribunal, and a readier one.]

⁷⁶Vestry clerk of Islington.

⁷⁷See sects. 12-14 of 18 & 19 Victoria, c. 121.

5773. Is there any improvement that you would suggest in the constitution of the vestries, or of the other bodies which at present carry on the municipal administration of the metropolis?—*I do not know that I can suggest any.*

[*Layton commented on the recent history of the governing bodies.*]

5775. Are you satisfied generally with the kind of persons who are candidates for the vestry in your parish? Are they of as good a status as you would desire?—*I think we have cause to be pretty well satisfied; we have a very good mixture; it depends, however, upon the wards; in some of the wards we have almost a difficulty to get the £40 qualification; the number of our assessments in the parish is 23,000; there is, no doubt, a good deal of apathy on the part of the ratepayers, but I do not know why we should legislate for those who are apathetic. We generally send out something over 10,000 notices with regard to the day of election.*

5776. Do you think there would be more interest excited in the elections on the part of the ratepayers if they were to vote by voting papers?—*I do not think they would be at all useful; I think that it would only extend the system of canvassing, and the result would be the same.*

5777. Does much canvassing take place in your parish?—*There is a great deal in particular wards; we have eight wards. I may mention that the ratepayers are limited to the ward in which they reside, but a vestryman may be taken from any part of the parish; some persons think that the intention of the Act of Parliament was that the vestrymen should be limited to the ward in which they reside.*⁷⁸

5778. Is that your own opinion?—*I think it would be more uniform; there is another singular thing in the Act of Parliament, a ratepayer who votes must have been actually rated 12 months,⁷⁹ but not so with regard to the vestryman; he may have only just had his name put upon the rating books.*

5779. Do you think it desirable that no one should be eligible as a vestryman for any ward unless he is an inhabitant of the ward?—*I think he should be rated in that ward, or if there are two wards they might be brought together.*

5780. Would not that rule limit still more than at present the range of choice, and diminish the chance of obtaining the most eligible persons?—*It is subject to that construction being put upon it; I am speaking of a very large parish, each ward having a large population, and being almost a parish in itself.*

5781. Some of your wards, I believe, are inhabited by a very poor population, are they not?—*Comparatively, so that the £40 qualification for a vestryman is felt to be too high, limiting the selection.*

5782. You would prefer to have a lower qualification for vestrymen?—*In the lower rated wards, because at present you are liable to be driven to one class of*

⁷⁸Sect. 6 sets forth the qualifications of a vestryman, including the £40 requirement, and the waiving of it, discussed in Qs. 5781 ff.

⁷⁹See sect. 16.

persons, namely, tavern keepers and so on, of whom, however, I do not wish to speak with any disrespect.

5783. You say that there are wards in which there are very few persons rated at £40 except tavern keepers?—*I do not put it so strongly as that, they would preponderate.*

5784. You think it would be better to take persons rated in the ward, although at a lower qualification, than persons from other wards in the same parish?—*Yes, I think the qualification which is mentioned, and the restriction which is given in one of the sections as to the amount of rating might as well be made applicable to the wards. There is one section which says that if the number of persons rated at £40 shall amount to one-sixth in a parish, the qualification shall be £40, but if they are below one-sixth then the qualification shall be £25. Now if that was confined to the different wards instead of the different parishes, I think it would be an advantage. The qualification would then be £25 in some of the wards, and £40 in others, so that the thing would be equalised.*

5785. You think that even in that way there would be a sufficient mixture of classes in the vestry?—*I think so; I think I may speak very favourably of the vestry of Islington; complaints will arise and do arise, and indeed we should have nothing but stagnation if they did not; on the whole, I think the work is well done.*

[*Layton dwelt on the failure of the Metropolitan Board of Works to live up to its promise to devote 250 acres to a park in Islington and Hornsey, to be known as Finsbury park.*⁸⁰]

5791. Has your vestry made any remonstrance in any public manner?—*Yes, we have been before the Board of Works by deputation; Mr. Torrens, Mr. Alderman Lusk, and the vicar attended, by the unanimous desire of the meeting in the parish. A deputation also attended from St. Luke's, Old-street.*

5792. In the present state of the law, I suppose you have no appeal from the Board of Works except to Parliament?—*No, the question I have mentioned is a legal one, and very peculiar; one of the clauses in the Finsbury Park Act is to this effect; that when the park is completed they shall dispose of 20 acres. That is like taking surplus land upon a railway for the purposes of deviation. Here they have decided that the 20 acres shall go for building purposes, but I think they are premature. That is one of the questions that ought to be decided.*

[*Mill opened a new topic with this witness.*]

5817. Has your attention been called to the proposals that have been made for establishing municipalities in different portions of the metropolis?—*I have not given much attention to the subject, but I think that Islington is quite large enough to be a district of itself. We are a municipality nearly, with the exception of having a mayor and aldermen.*

⁸⁰As provided for in 20 & 21 Victoria, c. 150, Local and Private Acts (1857).

5818. What is the population?—*At the last census it was 155,000; we take it now to be over 180,000.*

5819. Do you know what proportion that bears to the population of the Parliamentary borough of Finsbury?—*I do not know. The Islington list of voters is something more than half the list of voters for the whole borough. I do not know the population of the borough.*

[*The issue was raised of dividing the expenses of paving among the houses on a street. Payment was in the main proportioned to frontage, but there was no general agreement as to streets along flank walls, some magistrates holding that expenses attributable to such walls where there was no entrance should fall on the whole block.*]

5821. That it should not be paid for by the occupier of the house to which the wall is attached, but by the whole street?—[*Yes, except that when there is an entrance, the owner should pay for the portion up to it. Because questions of this sort occupy too much of the magistrates' time, there should be uniform rules. Another complaint is that a magistrate has jurisdiction for only six months.*]

5822. You mean that if the owner succeeds in resisting the demand for six months, he gets rid of it?—*Yes; I should not have any hesitation in suing a man in the county court, or one of the superior courts.*

[*If occupiers were made liable in the first instance, it would be possible to proceed summarily against offenders.*]

5824. Are there any other local rates which are levied directly from the owner and not from the occupier?—*No.*

5825. The only case in which the objection arises is that of paving new streets?—*And making the roads.*

5826. The pavement is kept up at the expense of the parish afterwards?—*Yes; the Act of Parliament works beneficially in this way, stopping all question as to whether there has been a legal dedication, because it provides that after the parish has compelled the owners to do the work for all time, the roads are thrown upon the parish.*⁸¹

*John Edwin Bradfield*⁸²

[*The practice in Islington has been for the vestry, instead of hearing complaints about road maintenance, to turn them over to the highway committee, which the vestry appoints; in the opinion of the witness, that committee had already prejudged the question.*]

⁸¹Sects. 96-9 and 105 of the Metropolis Local Management Act concern the payment for street paving.

⁸²John Edwin Bradfield (1818-88), a parliamentary agent, appearing before the Commission to express the dissatisfaction of some Islington parishioners with their vestry.

5841. In what way prejudged the question?—*They have made the rates and applied them.*

5842. You think it is to the vestry collectively that recourse should be had, and not to the highway committee?—*I think the vestry certainly ought to receive deputations and not hand them over to committees, but I go further in the remedy which I advocate; I say that there ought to be a power over the vestry in such a case as this, possessed either by the police magistrate or the Metropolitan Board of Works. Mr. Layton also referred to a letter; I should tell you that that letter was received by the chairman of a public meeting, I believe, on Saturday, and it gave him two days' notice to get up a meeting of inhabitants, on a road about three-quarters of a mile long, to go before the highway committee; this letter was sent by the vestry clerk after the matter had been before the highway committee two years and a half.*

9 July

*John Charles Buckmaster*⁸³

[*The Chair, in establishing the credentials of the witness, elicited the information that he had been very active in the government of Battersea.*]

5847. Have you continued to take an interest in the management up to the present time?—*Not much now; I have ceased during the last two or three years to take much active interest in the affairs of the parish.*

5848. Had you any reason for ceasing to interest yourself in the matter?—*I felt that I obtained so little support from the more intelligent and influential ratepayers of the parish, that it seemed to me hopeless to continue my efforts; I am now perfectly indifferent.*

5849. You had reason to complain of the local management, and were opposed to the manner in which it was conducted?—*Yes, I was very much opposed to the general local government of the parish. It seemed to me to be committed to persons very respectable in their way, but persons in whom I could feel no confidence with reference either to their judgment on many questions or to the raising and expenditure of such large sums of money as annually passed through their hands.*

5850. Would you be good enough to state the points on which you had reason to differ from the vestry, or to disapprove of their conduct?—[*Under the Local Management Act, the auditors are unpaid volunteers, inadequate and unwilling to perform their duties properly; consequently there is no proper oversight of the expenditure of rates.*]

5851. The auditors, I presume, would not be required to judge of the propriety of the expenditure, but only whether it had been really incurred?—[*They simply see the receipts. The collection of rates was so badly done that the district board took it over, but now it is back in local hands, and again mismanaged.*]

⁸³John Charles Buckmaster (1823-1908), J.P. and Science Examiner for the South Kensington Museum.

5852. By whom are the collectors of the local rates appointed?—*The churchwardens and the overseers.*

5853. Then the vestry has no power over them?—*None.*

5854. Would they have any power of preventing malversations of this sort?—*The vestry seems to have no power in our parish; the churchwardens and overseers make all the rates; the precepts are served on them, and the vestries seem to me to have no duties, or, if they have, they never perform them. Last year the vestry was convened only three times; once to elect the four members to the district board; once to appoint three members to the burial board; and once to fix the time for the going out of a portion of the existing vestry.*

5855. I presume that the powers which the Metropolis Management Act has conferred on most vestries are, in your case, vested in the district board?—*The district board is made up of persons sent from the vestries every year; we meet for the purpose, the first Wednesday in June, to appoint six men to the district board; one year we had a very severe contest in the parish; we were desirous, if we could, of getting a different class of men into office; after a very severe contest in a parish of 2,500 ratepayers, and collecting rates amounting to £70,000 or £80,000 a-year, there were only about 200 ratepayers that voted in the election, although for weeks before we had all the organization of a contested election, with the public-houses opened, and bills and cabs, and everything of that kind; but we failed entirely.*

5856. That was with regard to the vestry?—*[The strenuous attempt was made because the vestry is the source of all power and government; the failure to get the voters out resulted in the election of three beer-house-keepers seeking licenses, two retired publicans, a retired tripedresser, a hairdresser, a pianoforte tuner, an undertaker, and people of similar class. People who did not vote said they had been insulted enough.]*

5857. To what do you ascribe this unwillingness of so many persons in the parish to take part in the elections for the vestry?—*[Though thoroughly dissatisfied with the system, they see no way of improving it. While action by the district board is better, it is hard to induce, for example in his own case, concerning the preservation of footpaths and right of way.]*

5858. If I understand you rightly, what you complain of chiefly, both in the vestry and in the district board, is indifference;—that they do not trouble themselves about public objects?—*They do not; they do not perform the duties which they really ought to perform. With regard to nuisances, we have had piggeries and nuisances, of the most abominable character in the parish. At the present time I know of small houses in compound, where the cesspools in the backyards have been overrunning with filth, nearly six inches, for the last two or three weeks, loose bricks have been laid down for the tenants to walk on to keep them out of the filth as they go to the closets. You may ask why has it not been removed? I spoke about it to the inspector of nuisances, and it is to be brought first before a local*

committee, then the district board; but all this takes time, and the tenants might die with fever or cholera before any action is taken.

5859. A committee of the vestry?—*[Yes, the most active member being the owner of the houses. Knowing nothing can be done, people submit to the abominable conditions.]*

5860. What is the constitution of the district board?—*The district board is formed by members elected from the vestry.*

5861. From the vestries of the different parishes?—*[In the case of Battersea, the twenty-four vestrymen, many of whom do not attend, elect several members to the district board in June. The board, which has wide jurisdiction, acts with contempt for local sensibilities.]*

5862. The district board, I suppose, is constituted under the provisions of the Metropolitan Local Management Act?—*Yes.*⁸⁴

5863. What is the extent of the district?—*The district takes in Battersea, Tooting, Streatham, Clapham, Wandsworth, and Putney.*

5864. So that the extent of the district is considerable?—*Taking the boundary of the Thames at Battersea to Putney on one side, and from Tooting to Clapham on the South, on the other, you will get the entire area of the district comprehended by the district board.*

5865. If I understand you rightly the complaints against the vestry and the district board are rather negative than positive. You complain of them for not doing things which they ought to do?—*[Most of them try only to keep down the rates and to build compound houses, which have become a great nuisance because they are greatly under-rated.]*

5866. In what manner does putting the houses into compound cause them to be under-assessed?—*The man who builds these houses and puts them into compound, says to the churchwardens and overseers, "You see these are weekly tenants, they may go out; the house may be empty, but whether it is empty or occupied, I will pay the rates regularly." The churchwardens and overseers think that that is a capital offer, that it will save the collector a great deal of trouble, and that they will be sure of their money. The consequence is that the houses are put into compound, and that is often the qualification for a man to be on the vestry. If it were not for this compound property, there would be eight or nine men now on the vestry who would be disqualified.*

5867. In order to have the security of the owner for the rates, they are willing to compound with him for a much lower amount, provided it is paid throughout the whole year, whether the house is occupied or not?—*Exactly.*

[The principle is that of the Small Tenements Act.]

5869. Is there any private Act in force in Battersea?—*I believe there was a*

⁸⁴By sect. 32.

small Local Act of Parliament obtained some years ago.⁸⁵ At that time the parish was almost entirely market garden ground, and the small houses were occupied by men who were engaged in cultivating this ground. I dare say there were very few poor men receiving more than 12s. or 13s. a-week, and it was sometimes felt difficult to get the rates from them. A solicitor, with the consent of the churchwardens and overseers, obtained an Act of Parliament for the purpose of putting this property into compound, and that Act of Parliament (which was obtained under circumstances very different from the present condition of the parish), has continued in operation to the present time. The existing owners of compound property take advantage of it, and the houses are put in at a third of their value.

[This practice is allowed under the Local Act.]

5871. As you have so unfavourable an opinion of the existing management of the parish, will you tell us what improvements you would recommend, in order to prevent the evils to which you have referred?—*[The management now is vastly inferior to what it was a half-century earlier. If the present system is continued, there must be a great improvement in the levying and collection of rates.]*

[The present occupiers of compound houses could pay proper rates.]

5874. What length of time are the rates compounded for?—*There is no time specified, but if one of these compound houses should become a beer shop, or any other kind of shop, then I believe the occupier is rated. I do not believe that the overseers and churchwardens have the power of putting them out of compound after they have once accepted them without giving the owner a reason for so doing, which is rarely done.*

[Discussion continued on the process of compounding, which was arranged wholly and foolishly by the churchwardens and overseers at the behest of the builders.]

5890. You mentioned that there were frequent arrears of rates, and that it was necessary to summon, every half year, five or six hundred ratepayers out of a total number of not more than 2,500; to what do you ascribe those arrears and the necessity of summoning the ratepayers?—*[While the collectors retain their office, the body who appoints them, the churchwardens and overseers, fluctuates in membership and so loses control. Also, the collectors turn first to the large and dependable ratepayers, the public companies and the respectable people living at Clapham Common, and leave the rest for another day.]*

5891. Then the want of looking after the collectors of the rate is the great grievance in this case?—*Yes; the churchwardens and overseers say, "We are not*

⁸⁵8 & 9 Victoria, c. 21, Local and Private Acts (1845).

going to incur any unpleasantness with the collectors; they have many relations and friends in the parish; we shall soon go out of office and have nothing more to do with the matter." They tell me, that with reference to the collector of the poor rates, they are absolutely powerless; that although they are responsible for the collection of these rates, they have no power to remove the collector except for dishonesty.

5892. Is the collector appointed for life?—*He is appointed by the guardians for life if he likes to retain the situation.*

5893. And have the guardians no power to remove him?—*Yes; but the guardians are made up of persons from other parishes, as well as Battersea, and any attempt to remove the collector would probably not be successful; I have written to the Poor Law Board two or three times about the collection of the poor rates; unless you can show that a man has positively done something that is criminal he is allowed to go on.*

[*In Buckmaster's opinion, smaller ratepayers do not pay, and the larger, while they may be indignant, often do not look into the matter.*]

5896. In what manner are the collectors paid—by a percentage?—*Yes; and that makes it rather a disadvantage, because the collectors do not care about taking the trouble to get these small sums. They may go out, and in one morning earn £10 or £12, or £20 by per centages, which it would take two or three weeks to earn by the collection of small rates. That is made use of in favour of this system of compounding.*

5897. What would you propose by way of remedying these inconveniences?—*I would propose that there should be more direct responsibility to some permanent, and, perhaps, paid body. The churchwardens and overseers are a changing body, and it takes them some time to become thoroughly acquainted with the duties of their office, so that they are absolutely in the hands of the collectors, and many parochial officers never do understand or try to understand the many important duties which attach to their office.*

5898. To what body would you entrust this control?—*I think with reference to the poor rate, the Poor Law Board ought to have more authority. I think their power should not be limited simply to seeing whether the money had been legally expended. I think they ought also to see whether it has been properly collected, and whether the assessment of property is just, and whether the rates made are excessive. Their functions seem now to be limited to the expenditure and not to the collection, which they say it is the duty of the churchwardens and overseers to superintend.*

5899. In regard to the other local rates?—*With reference to the local rates, if the present system continues, I think the district board should be made responsible for the collection of the whole rate in the district, which should be uniform, subject to a paid auditor, and some more direct supervision and responsibility. For the*

protection of the ratepayers, and some easy method of compelling the district board to do its duty.

5900. You mean, if the present local government by vestries and district boards continues?—*Yes; I think it might be patched up in that way.*

5901. Do you think it is desirable that that system should continue?—*I think it very undesirable; it is more expensive and inefficient.*

5902. What would you suggest in lieu of it?—*It is very difficult to suggest anything, but my impression is, that a larger organization is necessary. You do not want a small organization for Putney, with its local board, its vestry clerk, surveyor, inspector of nuisances, medical officer, and all the paraphernalia of a great government, and then the same thing repeated at Streatham, at Tooting, at Clapham, at Wandsworth, and at Battersea. All this machinery is expensive; you cannot have vestry clerks and surveyors in all these little parishes without paying them, and it seems to me that if all these parishes were united into one, the district would not be larger than some of the municipal corporations in the midland counties and other parts of England, and they would have the advantage of being under one jurisdiction.*

5903. It would appear, however, that the district board is in some degree a kind of experiment, on the principle of management by larger districts; but you do not consider that experiment to be successful?—*I think it has been a failure, because they seem to have very limited powers, for they are very indifferent to the exercise of the powers they have.*

5904. What would be your reasons for expecting a less degree of indifference, and a greater degree of vigilance and activity, in the exercise of their powers, from a body otherwise constituted?—*[A more intelligent body of candidates would be called forth by the greater responsibility and authority.]*

[The witness gave details of inadequacy and bias by the district board.]

5928. I understand you to say that you do not think the district board a successful experiment?—*I do not.*

5929. And you would wish for an experiment on a still larger scale?—*Yes, under very different arrangements.*

5930. In what manner would you have it conducted; how would you constitute the local administration so as to be in your opinion better?—*The district board is made up of the same class of men as the vestry. A man must first of all be on the vestry, that is, he must be assessed at £25, or £40 a year as it is now; from the vestry he is sent to the district board. Now as the vestry is, so will the district board be, and I say that the vestries of our parishes are not of such a character as to ensure that public confidence which I think such an administration ought to ensure.*

5931. Should you think it preferable that the members of the district board should be elected directly by the ratepayers?—*I think it would be much better.*

5932. You think that a superior class of persons to those who constitute the vestry, would in that case be willing to serve on the district board?—*I think that is very probable: the election to the district board by the vestry is a very easy matter; half a dozen men meet together and go through the form of a ballot, but it is no ballot whatever. One man says to another, "We shall vote for Brown, Jones, and Robinson, and you vote for the same"; the list is then put into a hat, and Brown, Jones, and Robinson go to the district board.*

5933. The members of the district board are elected by the vestry from their own number?—*Yes.*

5934. Do you think that the vestry usually selects its best men for that office?—*I do not. There are certain men who are very anxious to be on the district board.*

5935. You think that it is more often for the convenience of the persons elected, than for the benefit of the public that the choice is made?—*Yes, and perhaps they are anxious for the little position, which, being on the district board, gives them, meeting as they frequently do, more respectable men from other parishes.*

5936. Do you think that if the district board was elected by the ratepayers, you would get better men to serve on it?—*I think if you had a direct representation to the district board, without any assessment qualification, you would get a better class of men, because other men would become candidates. No person has now any chance outside the vestry.*

[*The witness indicated he had never been a candidate for the district board, not being qualified even to be on the vestry.*]

5938. I think I understood you to say that, besides what you consider a defect in the mode of electing the district board, its powers are not sufficient?—*I think its action, with reference to the collection and expenditure of rates, is not under that control and supervision which it ought to be.*

5939. You think that they have sufficient powers, but that those powers are not sufficiently controlled?—*They do not exercise them. With reference, for instance, to the footpaths across Wandsworth Common, I wrote 16 letters to the Wandsworth district board, but I received no assistance whatever from them. I then appealed to the district board, with reference to the enclosure of about 10 acres of ground by a railway company, which were not required for the purposes of their Act, and I asked in a friendly way if they could tell me by what authority all this was done, but they refused to give me any assistance or advice.*

5940. Was that within the legal power of the vestry?—*It was quite within the power of the district board, and it was their duty to have inquired into the matter.*

5941. Do you consider that the extent of the district over which the district board exercises its authority is sufficient, or would you have a still larger district?—*I would have a larger district, without increasing the number of men. I am not quite sure whether in every case voluntary service is good service, it is never felt as a responsible service. A man neglects his duty, but what of it? You cannot expect him*

to give up his time without some equivalent. Those who do the public work should be paid for it.

5942. You would wish to have paid officers to perform the duties now performed by these bodies?—*I think there should be more paid officers; you would then have greater and more responsibility and supervision.*

5943. Do you think that there should be paid officers only, or that there should be paid officers to constitute what may be called a local executive, and a more popularly constituted body to vote the rates?—*I would keep up the present system of popular election, and extend it if possible, but I think there should be some other more responsible body, and perhaps it would be a matter of consideration, and more desirable, that some portion of that body should be permanent and paid, but responsible to some other and higher authority.*

5944. You think it would be a good plan to have paid officers for every branch of administration, who should be responsible to an unpaid body elected by the ratepayers?—*Something of that kind.*

5945. By whom would you have these paid officers appointed?—*The appointment of these paid officers would, perhaps, be a difficulty. I have not thought the matter out.*

5946. Do you think it would be a good plan that there should be a permanent chairman of the elected body, and that this permanent chairman, who might be paid or not as might be thought advisable, should be the responsible head of the local administration, should be responsible for the appointment of proper persons to all the paid offices?—*I would not vest the appointment of the paid officers entirely in the hands of such a person; I think there should be some board with which he was acting that should have some power in the matter, or the appointments might become jobs.*

5947. By supposition he is the chairman of the elected body, and, being chairman of the elected body, holding the same relation to it as the Lord Mayor does to the Common Council, might be either the responsible person to appoint the executive officers himself, or propose them to the elected body?—*Yes.*

5948. And in that case there would be, perhaps, a responsibility which you think is at present deficient?—*I think, perhaps, that would meet the difficulty. At present, we have several paid officers; we have a clerk to the board, a surveyor, and two or three clerks; that is the organization for the district board simply. In our parish we have a paid vestry clerk, who does as little as possible, and another clerk, and we have three paid officers. It seems to me, that if all these offices were fused into one, it would be more economical for the ratepayers than having the present number of paid servants.*

5949. You think there is no use for the vestry, and that it would be sufficient to have the larger district with a proper organization, an elected council, and the requisite number of paid officers under them without having any on a smaller scale?—*Yes, and when I tell you that last year the elected vestry only met three times, you can form an estimate of how unimportant the vestry has become.*

5950. The vestry existing at the present time is merely an electoral body to appoint these other persons?—*Yes.*

[They elect the churchwardens and prepare a list of overseers for the magistrates who automatically take the first names. In reply to the Chair's information that according to the Act only houses up to £15 value could be rated to the owner, Buckmaster insisted that houses of greater value, letting for up to 10s. per week, were being compounded for.]

5954. May not that fact be owing to the very considerable rise that has taken place in the value of property in many parishes, so that houses originally not worth more than £15 a-year may now be worth £20?—*That will apply, no doubt, to a very large amount of property in the parish, but not to all of it. I believe there is a kind of understanding between the churchwardens and overseers, and the owners of these compound houses. Supposing the churchwardens and overseers to be themselves owners of compound houses, to any extent (and we have had abundant instances of that), of course they would do the thing very lightly for themselves.*

16 July

John Fuller⁸⁶

[Questions dwelt on various matters pertaining to the vestry of Islington, which Fuller asserted was open to charges of gross mismanagement.]

6125. Is there a weights and measures committee in your vestry?—*Yes; it is not what we call one of our permanent committees; it is selected from members of other committees.*

6126. Selected when there is any work to do relating to weights and measures?—*They are always elected on Easter Tuesday.*

6127. Have you any remarks to make about that committee?—*No, I know nothing against them. I believe they are a very useful committee; I think it is very essential that parties should be well looked after in that respect.*

6128. Have you anything to say about the lighting committee?—*[There has been some negligence.]*

6129. Did you ever hear the weights and measures committee complained of for not dealing sufficiently severely with tradesmen when possessing false weights and measures?—*It was proposed before the vestry that we should publish the names of persons whose weights and scales had been found incorrect. The weights and measures committee rather objected to it; they said they did not like to take the responsibility of publishing the names; but they did the next best thing, that is, they consented that the reporters for the press should be present at meetings when the names were announced, so that they might be published in the local papers.*

6130. Has there not been some complaint against those committees for eating and drinking at the expense of the ratepayers?—*Yes; it appears that we allowed*

⁸⁶Member of the vestry in Islington.

the committee, I think, about £60 a-year for their expenses, and they made it about £60 or £70 more. They used, I believe, to go a little way out of town and have splendid dinners with champagne, burgundy, and all the choice wines, and three or four courses, and rose water after dinner.

[The event occurred three or four years previously.]

6132. But they did not expend more of the ratepayers' money than you allowed; the rest was at their own expense?—*They kept within the money allowed by the vestry.*

*James Wilson*⁸⁷

[Mill began after the Chair's identifying questions.]

6182. I believe you have taken great interest in the question of municipal institutions?—*Yes.*

6183. You have been an officer in municipal institutions in America many years?—*Yes.*

6184. Has your attention been drawn to the distinction between the practical working of municipal government in America and England?—*Yes.*

6185. In what part of America have you served municipal offices?—*In the first place, I was in New York, and latterly in New Orleans, also in Canada.*

6186. What offices did you fill in those places?—*In one municipality, I had the situation of auditor, and in another that of assessor.*

6187. And things came to your knowledge respecting municipal administration there, and the manner in which it was carried out, which you think may throw light on municipal administration here?—*Yes.*

6188. Be so good as to state them?—*In the first place, with regard to assessment, it occurs to me that there is a very great difference between the system of assessing property in this country and in America. In America, all property, real and personal, is assessed for municipal purposes, including income.*

6189. Do I understand that the assessment is entirely on property and not on rental, as it is here?—*On property, real and personal.*

6190. Here it is not an assessment on property at all, but the assessment in the United States is on property, if I understand you?—*It varies in different States; in some States, the assessment is made on the whole value of the property; in some other States, it is made upon the annual value of the property, but in all the States, it not only includes real property, but personal property, merchandise, money used in business, professional income, and every other species of personal property.*

6191. You mean that the per centage is taken upon the estimated value of the whole property of each person?—*If you will permit me, I will give you an instance*

⁸⁷Resident of Bloomsbury.

in point, which will show what I mean. As an assessor, I call upon an individual, and ask him the amount of rent he pays, supposing the assessment to be upon the rental (I take that for the purpose of making a fair comparison between your system and theirs). If he states an amount lower than the amount I think is reasonable, I add to that amount. If he has taken his house at a period when property was too high, I deduct from that amount, giving what I consider a fair estimate of the present value of the property.

6192. The assessor does that?—*Yes.*

6193. Is there any appeal from the assessor?—*I will mention that. After ascertaining the value of his real property, I ask what business he is engaged in, and, if he is a professional man, the amount of his income. That is put down at its annual value. If he earns £1,000 a-year, the annual value would be £60 per annum. If he is engaged in mercantile transactions, I take the average stock in trade, and the annual value of that is supposed to be a sum represented by five or six per cent., according to the different States. That is included in the annual value, and in the amount assessed against him; so that the basis of taxation is much larger than it is here; it includes all that a man is possessed of.*

[That is, for municipal purposes.]

6195. If you do not think that the declaration of a person himself is correct, you add to it or diminish it, according to your judgment?—*Yes.*

6196. Is there any appeal from the assessor?—*There is an appeal from the assessor to the members of the municipality. As a general rule they appoint a committee for the purpose of hearing those appeals, and if the appeal is decided against the party, and he is not satisfied with it, he can appeal again from that body to the county judge, whose decision is final.*

6197. So that ultimately, if he chooses, the matter may be carried before a strictly judicial tribunal?—*Precisely. I may also mention that if the assessor desires to save trouble, or considers it a better way, he has the option of presenting a declaration to the individual that he may make, either by affirmation or oath, as the case may be, a statement as to the amount of his real and personal property.*

6198. His function seems to be similar to that of the Income Tax Commissioners here?⁸⁸—*Somewhat so.*

6199. Is there anything else which, in your capacity as assessor, struck you as being important?—*Local improvements are very generally done by local assessment; for example, in the case of individuals in a particular street or block of houses desirous of having some change made; a new drain, or a common sewer, or a new pavement, or a new causeway in the street; a number of them constituting in the whole a majority as to value and numbers, present a memorial to the*

⁸⁸Local commissioners appointed by the Land Tax Commissioners from their own body, to appoint and supervise assessors and collectors of the income tax.

corporation or municipality setting forth that they desire this improvement; the property benefited by such improvement is then visited by the assessor, who assesses the property according to his judgment at the amount which each individual ought to pay towards the improvement.

6200. Who is it that decides whether this improvement shall be made?—*The municipality.*

6201. Then the subject is brought before the municipality first, and if they decide in favour of the improvement being made the assessor proceeds to assess the means of payment of all persons in the district?—*Yes; except that in the event of the locality being willing to bear the whole of the expense they invariably get the improvement, but where they ask the assistance of the municipality it is a question whether they get it or not.*

6202. When you speak of the locality you do not mean any definite division of the district, but you mean any portion of the public comprised within any boundary whatever who consider that they have any interest in common?—*Yes.*

6203. Have you found this system work well?—*I think so.*

6204. You think it gives general satisfaction?—*Yes.*

6205. Is there any other point to which you desire to draw the attention of the Committee in connection with the duties of assessor?—*At present I do not think of any other.*

6206. You have also had experience in the capacity of auditor?—*Yes.*

6207. Have you anything to remark upon, which came to your knowledge in that capacity?—*With respect to the auditing of accounts it is an invariable rule, in fact it is the law, that all accounts must be published in the local papers, and paid for.*

6208. At the expense of the rate?—*At the expense of the ratepayers.*

6209. How are the auditors appointed?—*That varies in different municipalities; but I think, as a general rule, one is appointed by the head of the municipality and another by the members on a division.*

6210. Then there is an officer who is at the head of the municipality?—*Invariably.*

6211. What are the peculiar functions of that office?—*[The title varies in different jurisdictions, for example in counties there is a chairman of supervisors, in townships a chairman, in towns a mayor.]*

6212. What power does the chief (whatever may be his name) exercise independently of the remainder of the body?—*[In New York, he exercises very great powers, being connected with the management of the county. When there are small municipalities, they federate so that the mayor, as head of the supervisors, becomes a member of the superior body in control of the erection of schools, poor houses, and infirmaries.]*

6213. School houses, poor houses, and infirmaries, belong to a larger district than a municipality?—*They do.*

6214. Consequently they require a special board to administer them; that is, there is a board representing a larger district than the municipal districts which has authority over the school houses, poor houses, and infirmaries?—*That is so.*

6215. And how is this board appointed?—*The townships each elect supervisors; persons who have authority in the municipalities, corresponding to your parishes.*

6216. "Supervisors" is the name of the members of the municipal board of the townships?—*Yes.*

6217. And the chairmen of the different township municipalities become members of the County Board of Supervision?—*Yes.*

6218. The county board, then, is composed of the chairmen of the local boards?—*Yes.*

6219. How are these chairmen appointed; are they elected by the ratepayers to the special office of chairman, or are they elected in common with other members of the board, and then, having been elected supervisors by the ratepayers, are they appointed as chairman by the Board itself?—*That is the way: they are elected amongst other supervisors, and afterwards appointed by the respective municipalities as chairmen.*

6220. And these chairmen come together and form a board for the county?—*They do.*

6221. And is there any board for a larger district than a county?—*There is no larger district recognised, except the State, which is the next step. I will give you the respective steps: the village, having a board of five trustees, the town, having a board according to the number of inhabitants, of from seven to 20 or 30 persons, and in the case of New York 41, the county, having a board consisting according to the number of municipalities in the county, of from 30 to 60 or 80 members. Then the State, which is at the head of the whole, comprising, of course, all the counties; but that is an entirely separate affair, having no connection with the municipal arrangements.*

6222. It is one of the most important subjects in municipal administration, what powers should be exercised by the elected board, and what are the responsibility of the chairman individually; how is that matter arranged in those boards in America with which you are connected?—*It is not invariable. They have changed the plan several times in New York on this account; there is a very large foreign population there; the city being now composed of more than half foreign born people. The system was devised for the Americans themselves, who are much better educated than we are (I speak as one of the humbler classes myself). Having been trained and educated in this system of municipal government, they found no difficulty in managing it; but they have since changed it, so as to give the mayor a veto upon certain measures; if the council pass a measure by a large majority the mayor can put his veto upon it and stop it altogether.*

[*The mayor is elected for two years.*]

6224. Is he appointed by the Council?—*In New York he is appointed by the people.*

6225. Is that frequently the case?—*It varies in different States. As a general rule, in the States, I think, the head of the municipality is appointed by the people, but in the country it is the other way; the chairman is elected by the municipalities. However, there is no rule adhered to; it varies in different States.*

6226. Have you formed any opinion as to which of these plans works best?—*I have not considered that matter sufficiently.*

[*Mayor and board are elected by the same suffrages.*]

6228. If you had to give an account of the duties of the mayor, in a large town in the United States, of what would you say they consisted?—*I should say that he was the general executive officer of the corporation, that he did, or saw to the doing of everything done in the place.*

6229. He is responsible to the corporation for the execution of those public duties of which they are the controllers?—*He is.*

6230. Is he in the habit of consulting them generally, or does he proceed on some general rule which they are only bound to see observed?—*In the large State of New York, particularly, the municipality divides itself into committees, each taking charge of a particular department: the mayor is, generally, a member of the most important of those committees, and whatever business they transact must, in all cases, come under his supervision.*

6231. Is the power of these committees in any case paramount to his, or are they merely intended to keep the body which appointed them, informed as to his proceedings in order that they may exercise the duty of controlling? In congress itself, there are committees appointed to superintend every part of the business of Government, and consequently every Act of the Government; but in spite of that, these committees have not a controlling power over the president; is that the case in municipal government, or does it stand?—*That is generally the case; but I have remarked already that in New York the mayor has a veto.*

6232. In New York nothing can be done without the mayor's consent?—*Nothing of importance.*

6233. But that is not the case in most other places?—*Not in general in American municipalities.*

6234. Generally, what is the extent of the power of the mayor; what could he do of his own authority?—*His power is limited by the general Act of Incorporation; in the case of New York by the special act, which they have for that purpose; although the whole of the country is incorporated under general acts, there are certain towns that have applied for and have obtained special acts, and New York is one of them.*

6235. According to the general system of the country where there are no special

acts, is the mayor merely the minister of the corporation, or has he powers of his own?—*Generally he is a mere minister of the corporation.*

6236. In fact he executes their instructions?—*He does.*

6237. So that in the more general case it is the corporation itself, as in this country, which administers, and the mayor is only the chairman of their body?—*Yes.*

6238. But it is not so in some of the towns under special acts?—*No.*

6239. Do you think there is any growing tendency in the United States to confide this greater degree of power to the executive officer, the mayor, or whatever he may be called?—*If we might judge from the case of New York, there is, but that is an exceptional case.*

6240. Owing to the great concourse of foreigners, but you think the general system is that of administration by boards rather than by individual officers?—*Yes, the municipal business of New York and of some other large cities is so extensive that it is impossible for the unpaid members of the municipality to do it. In any case the actual duties are delegated to separate boards; for instance, in New York the superintendence of immigration is delegated to a special board.*

6241. Is that a paid board?—*A paid board. The duties are all done by paid officers.*

6242. Does the board consist of members of the corporation?—*So far from that being the case, the members of that board are appointed by the Governor and Senate of the State of New York. The police of New York, a most important matter, is also controlled by a board of the same description appointed by the Governor and the Senate of the State, altogether independent of the corporation.*

6243. To that extent a portion of the work in other places belonging to the municipal government is taken out of that category and is assumed by the general Government of the State?—*Yes.*

6244. Is there anything else that you wish to state with regard to the differences between the municipal government of the United States and this country?—*I have looked over the Bill proposing to establish municipalities in the metropolis, and I have observed that there is a difference in this respect, that the electors are proposed to be the burgesses of the respective municipalities. Now, I can understand what a burgess means in the City of London, where I believe there are special privileges and large sums of money left in the way of endowments, and so on.*

[*In the outlying districts of London, the ratepayers would be the proper parties.*]

6246. The intention of the Bill is that it should be the ratepayers.⁸⁹ They would only be constituted burgesses by the district being constituted a corporation. The

⁸⁹See clause 11 of the proposed Bill.

name burghess is like the name of alderman and common councilman adopted in the Bill, as I understand, merely because they are terms used in existing cases?—*There is another suggestion which I may be allowed to make, which is taken from American practice. I find that there are references in the margin of the Bill to a variety of other Acts under which the municipalities are to be constituted or to act. In the case of America, all the powers under which a corporation acts are comprised in one Act, so that each one of the municipalities, by means of a sixpenny pamphlet, can see precisely the extent of their powers.*

6247. Does any other suggestion occur to you?—*All the elections for municipalities in America take place in every State on a particular day mentioned in the Statute; generally about the 8th of December; and before that day a statement of accounts must be published in the newspapers, so that the ratepayers may have an opportunity of checking the expenditure.*

6248. By whom are the auditors appointed?—*One is appointed by the head of the municipality and another by the council; that is the general rule.*

6249. Even when the head of the municipality is merely as it were the chairman of the municipality, without having independent powers, it is still usual that he should appoint one auditor, and the body should appoint the other?—*It is.*

6250. Is the audit usually an effectual one? Does it give satisfaction to the ratepayers?—*I think so.*

6251. Of course the duty of an auditor does not relate to the reasons for the expense, but only to its having been actually incurred; but the ratepayers who are judges of the reasons of the expense have opportunities, if I understand you rightly, by a regular publication of the accounts before the annual period of the elections, of judging how far their representatives have done their duty during the year?—*Precisely so.*

6252. That takes place annually.?—*Yes. In New York there is a special arrangement. An auditor is appointed by the government of the City, and he has a veto on expenditure which he does not find that the municipality have legal authority to make.*

[The questioning turned to the division of State and municipal powers, and the witness said the New York waterworks were provided for by a special State Act, giving borrowing powers to the city.]

6342. The works were made at the expense of the corporation?—*At the expense of the city.*

[Wilson outlined the kinds of expenditure to explain the apparently high municipal taxes, mentioning police, free schools, workhouses, infirmaries, reformatories, lighting, watering, and paving.]

6399. And are the gaols included?—*Yes.*

6400. Is water laid on to every house?—*To every house in New York; but there are towns without water.*

[Wilson gave his opinion that in London the great thoroughfares and public streets were in better repair than in New York; the reverse was true of the back streets.]

6426. I believe that New York is said to be one of the worst places in the United States in that respect?—Yes.

23 July

Edwin Chadwick

[Exceptionally, Mill, rather than the Chair, began the questioning.]

6494. Will you state the public offices you have filled?—As a Commissioner of Inquiry into the Administration of the Poor Law, I have had to consider the principles and to prepare measures which resulted in the consolidation of the administration of 16,000 parishes into some 650 unions.⁹⁰ As a Commissioner of Inquiry into the state of the constabulary force in the country, I had to prepare principles of organisation and action which have led to the substitution of a parochial constabulary force by county police forces.⁹¹ As a consequence of my report in 1842 on the sanitary condition of the labouring population of Great Britain, I had a leading share in the preparation of measures by which the administrative arrangement for the water supply and drainage of towns have been consolidated in between one or two hundred cases under local boards of health.⁹² I refer to these cases of administrative consolidation, because in proportion as those principles have been adopted by the substitution of paid for unpaid service, in wider administrative areas economy has in every instance resulted more or less coincident with efficiency.

6495. You have had your attention drawn very much to the principles applicable to local administration as well as to general administration?—Particularly.

6496. And you have paid very particular attention to the local administration of the metropolis amongst others?—Yes. Under the Poor Law Commission, I had to examine the parochial administration of the metropolis. Under the Metropolitan Sanitary Commission, I had to examine, with my colleagues, the administration of works under sewers commissions and paving boards; and as part of the sanitary inquiry, I examined especially the interment of the dead in the parochial graveyards of the metropolis, upon which I reported. Under the consolidated Sewers Commission, I had to prepare, with colleagues, various measures for the amended drainage of the metropolis.⁹³ Under the Public Health Act, and as a

⁹⁰Chadwick refers to the Report of 1834 and to the resulting Act, 4 & 5 William IV, c. 76 (1834).

⁹¹See "First Report of the Commissioners Appointed to Inquire into the Best Means of Establishing an Efficient Constabulary Force in the Counties of England and Wales," *PP*, 1839, XIX, 1-233, and 2 & 3 Victoria, c. 47.

⁹²The Act resulting from Chadwick's 1842 report was 11 & 12 Victoria, c. 63 (1848).

⁹³See "First and Second Reports of the Metropolitan Sanitary Commission," *PP*, 1847-48, XXXII, 1-319.

member of the General Board of Health, we had to direct examinations and temporary organisations of the means of administering relief to the sick on the occurrence of extraordinary epidemic visitations.

6497. It is well known that the experience which you acquired in all these different capacities you have made use of in turning your mind to the subject of the general principles of administration in its various branches. Although several of the subjects with which you are especially conversant are not within the scope of this inquiry, the Committee have no doubt that the general principles which you have been led by your experience to arrive at will be of great use in the inquiry?—*It appears to me that the best mode of considering administrative organisation is to get a distinct view of what is required by the public to be done, and then a clearer opinion may be formed of the sort of agency required to do it. Now I venture to aver, in respect of the metropolis, that fully one-third of the existing death-rate may, and ought to be reduced; that is to say, taking the deaths at 60,000 per annum, 20,000 may be annually saved, and 20 times that number of cases of sickness may be prevented by measures, the results of which are so clearly ascertained, that if adequate premiums were given, data might be offered to commercial people as a private enterprise under which, with proper powers, they might safely undertake to contract for the attainment of these results.*

[In response to the Chair, Chadwick indicated that he referred to the whole metropolis when asserting that a one-third reduction in the death-rate was possible, and added that for every preventable death there were twenty cases of preventable sickness.]

6499. What is the nature of the evidence on which you found this opinion?—*[The judgment is based on what has been done in typical old buildings where adequate sanitary improvements have been made. Even better estimates could be made from properly constructed new buildings.]*

6500. What do you consider to be the obstacle that the present state of things throws in the way of the adoption of improvements from which you expect these great results?—*[The answer might be deduced from a description of what should be done and at what expense, which Chadwick offered, by a new general and complete system of works replacing those of the private companies.]*

[Chadwick maintained his position, citing more evidence of what had been and could be done at low cost.]

6506. The estimate which you have made with regard to the amount at which these different things could be done is founded on actual experience?—*[The experience is drawn from various places. It may be anticipated that average costs in London would be even lower.]*

6507. You have mentioned the great improvements which in your opinion remain to be effected in the local management of the metropolis. What in your

opinion are the administrative means by which those great improvements, or any practical improvements, might be effected?—[*The great means is unified management of a larger undivided area, as is evident, for example, concerning drainage.*]

6508. You think therefore that the present management by which only what may be called arterial drainage is in the hands of the sanitary authority (the Metropolitan Board of Works), and the minor drains are in the hands of parochial authorities or local boards of works, and the house drainage sometimes not under any, is a vicious system?—*Yes; my own conclusions in respect to unity of management and the administrative consolidation of works stated in 1842 were subsequently confirmed by the Commissioners of Inquiry into the Health of Towns. In that commission were Mr. Robert Stephenson, Mr. Cubitt, and other engineers; Sir Henry De la Beche, and many men of scientific authority, and they concurred in this; that the drainage of the house, of the street, and the site, also the supply of water to towns, and the formation, the drainage, the cleansing, and the maintenance of the roads of a district, comprising the natural drainage area, must be under one and the same authority, and that authority ought to be a public one; and all the consolidation in other places has gone to that to bring these subject-matters under one and the same authority, and that a public one.*

6509. The whole drainage, therefore, of the metropolis, including the house drainage, you think, ought to be entrusted to a single authority?—[*The many reasons for consolidation include the geology of the region, economy, engineering concerns, and efficiency and the resulting improvement in services.*]

6510. Would you infer from this that the same body ought to have the charge of the drainage of the metropolis and the roads of the metropolis?—*Yes, the footpaths and the carriage ways; suburban as well as urban. In the particular instance cited of the metropolitan road trust which worked so well, comparatively, to the smaller parochial administrations, we believed that the consolidation was imperfect, and that the consolidation with the drainage and surface cleansing arrangements, which drainage arrangements were entrusted to a separate authority, would be attended with further benefit.*

6511. Sir Benjamin Hall's Act was subsequent to that report, I think?—*Yes.*

6512. Are you acquainted with the working of that Act?—[*Chadwick said he was not, but the benefits of consolidation could be seen in the parallel improvements found when the district sewers commissions were united.*]

6513. I understand that you rely for the improvement of local administration principally upon the consolidation of the fragmentary portions in which the work is now executed and superintended, and placing them all under a single management; and you rely also for enabling these single management boards to get through such a mass of business upon the discharge of as much of it as possible by paid officers who devote their whole time to the subject?—[*To cease to rely on part-time experts would save lives as well as money.*]

6514. Then, having regard to the existing state of things, and the means by which it may be improved, what administrative changes would you recommend in the present local administration of the metropolis?—*[The enormous scale of works required, with the consequent dangers of very expensive mistakes—some already made—make it imperative that in devising and carrying on great works, there should be a special commission responsible to parliament rather than to ignorant vestry representatives.]*

[The questioning turned to Chadwick's belief that there should and could be two drainage systems, one for sewage, to be directed onto lands for absorption, and one for rain and subsoil water to empty into the Thames.]

6531. Your idea is, if I understand you, that there are certain things necessary in order to contrive a new system, and get it going, which you think can best be done by a temporary body created for that express purpose, and which you think should be central rather than local?—*Yes.*

6532. But after the new system is once established, then it can be delivered over to local bodies?—*[In Chadwick's view, perhaps to a new body, but not to several, because disunity in superintendence would be expensive at best and also disruptive if less than best.]*

6533. But if a general system for the whole of the district that you think ought to be included had been selected and actually carried into execution, and brought into good working order, to whom would you afterwards entrust the administration of it?—*[A mixed administrative body, including some responsible to parliament, some paid and some selected representatives. Elections, however, are not the best means of getting qualified persons.]*

6534. You think that anybody locally elected would not be adequate even to superintend the different branches of local administration when they were well started?—*I think you might possibly and by selection introduce the representative element to some extent; but you should mainly rely on permanent officers, as in the case of the Metropolitan District Roads Commission, looking to the elected or selected persons merely for supervisory services, not for any initiative or executive directions, and I should connect the whole, in the case of the metropolis, under immediate responsibility to Parliament.*

6535. That would be quite consistent with having local boards elected, because I understand you to think that the main business, apart from the superintendence, ought to be carried on by permanent officers who would be selected for their special qualifications, and in that case the business of any administrative boards could only be the voting of rates, and seeing that proper persons were appointed to the offices, and that the funds were applied to proper purposes?—*Apart from any political prejudices, the best specimen of administration is to be found in the operation of unity of management in Paris. Looking at the strides they are making there, we may well have reason to be ashamed of ourselves in comparison. The*

conseil of the municipality is appointed by the Government, and it is composed of men of eminence in science; Dumas, the chemist, members of the Institute, retired executive officers or administrators, who are competent to judge of the measures submitted to them for their approval by the permanent officers, and to audit and vouch for them. During the revolution of 1848 they made the body elective, and the competence and character of the persons elected was so inferior in all respects, that by universal public consent the old mode of responsible selection was resorted to.

6536. But I believe under the government of Louis Philippe the municipal commission of Paris was elected by popular suffrage, although, I believe, the qualification was rather high, being the same as the suffrage for the Chamber of Deputies, which was high and restrictive.⁹⁴ The commission, I think, was appointed in that way, and consisted then, as it does now, of some of the most eminent men in Paris willing to discharge those duties?—*I am stating from recent communications in saying that when they attempted to get a council by popular election, the character of the body fell off so considerably that they reverted to the system of nomination.*

6537. Do you not think it is likely that in the time of the Revolution, with the period intervening between the subversion of Louis Philippe's government and the commencement of the present government, the municipal commission might have been elected more for political reasons than for any special qualifications, and yet that this might not be the case in a permanent state of things, even under popular election?—*Apart from any political questions, this is clear, that demands for labour in these offices are greatly increasing, while the demands on the time of men for their own professional pursuits, or their own personal special studies are also increasing, and that you have fewer and fewer of a competent and a valuable leisure class from whom you can get sacrifices of time for public work. They have made their sacrifices, and done all they can in the way of daily labour in connection with their professions. After that they want the relief of amusement, and are not disposed, at least in the metropolitan districts, as far as I have seen, to labour for the public; and we find it to be exceedingly difficult to get committees of the right quality for the requisite service.*

[*In response to the Chair, Chadwick indicated that even appointed eminent men found it difficult to give sufficient time to serve the metropolis.*]

6539. Probably you would recommend that administrative bodies of this character should, at any rate, have a permanent chairman, who would be selected for his qualifications, and should be considered as a permanent officer?—*Yes, but*

⁹⁴Louis Philippe (1773-1850), King of France 1830-48; "Loi . . . sur l'organisation municipale de la ville de Paris" (20 Apr., 1834), *Bulletin des lois du royaume de France*, 9th ser., Pt. 1 (Lois), VI, 113-17.

any departure from the principles of unity of administration and the combination of works for the whole metropolis, I am convinced, will involve extra expense and inefficiency.

6540. You are aware that in Paris, although there is but one superintending municipal commission for the whole, the city is divided into a great number of executive districts, each of which has a mayor?—*Those are the remains of old and effete functions and organisations. The mayors, I believe, merely register and do some notarial acts, in analogy with the mayors all over the country, but my recent information is that there really is but one administrative body at present in Paris, and that all the amendments going on are worked by engineers or paid officers, with occasional supervision by the conseil; there is nothing there like our inferior and wasteful parochial management. The public intelligence there does not tolerate anything of the sort.*

6541. Then is your opinion not favourable to any subdivision of the metropolis for any administrative purposes whatever?—*[It is not to be recommended in any of the areas of which he has a special experience, such as public works and poor relief. Also, the administration of police should not be elective, and should be united.]*

[Chadwick added police supervision of water for fire control to his list of properly centralized functions.]

6544. Altogether the result of your experience and reflection on the subject, in all the departments with which you are specially acquainted, is that the whole of the metropolis should be under one management?—*Yes, and from its being the seat of the Government, the Government itself should be required to share the responsibility of that management. I may mention as an instance of the recognition of legislative and administrative principle that it is distinctly provided in the American constitution that the seat of the Government, not only Washington itself, but Columbia, shall be under a distinct and special Government, responsible to the Senate, to Congress, or to the President.*

[Chadwick would not commit himself as to the desirability of there being a government department responsible for metropolitan management.]

6546. You think that the general executive of the country ought to have a share in appointing members of the controlling body, whatever it may be?—*Certainly; they ought to be distinctly responsible for it. In Parliament, Members now indicate their notions of a Parliamentary responsibility as respects the metropolis, by asking questions about particular streets, or concerning themselves with the action of minor works there; and, certainly, works that concern about a seventh of the population of the country may be well attended to by them; I think there has been a gross dereliction of duty on the part of some representative people in not attending to this whole matter.*

6547. Under such a consolidated body you would, I suppose, entrust the different branches of the metropolitan government to permanent paid officers, under the general superintendence of the body which was partially elective and partially appointed by the crown?—*Yes; but better with honorary supervisory service selected by the union.*

6548. In that way you would expect to obtain officers, with first-rate qualifications, in each of the departments on whom would rest the principal part of the administration, the duty of the board being chiefly to look after them?—*I think besides that you would, with responsible paid service, also get a higher order of voluntary unpaid service.*

6549. You think you would obtain in the board itself a superior class of persons to those obtained now for any local purposes?—*Yes; but I am clear upon this, that you cannot have in any of those works I have specified, any separation without disastrous waste.*

[*Other members of the committee canvassed Chadwick's opinions on diverse administrative questions.*]

6610. Have you anything further to state in elucidation of your views?—[*The virtues of the Liverpool administration had been much exaggerated; it had failed, through the operation of special building interests, to attend properly to matters of public health, and so compared very unfavourably with French municipalities such as those of Bordeaux and Lyons.*]

[*Again the questioning took in many aspects of the problems in metropolitan government, before Mill asked the final question.*]

6637. I believe you have given a statement of your views with reference to the improvement of Poor Law administration as applicable to the metropolis to the President of the Poor Law Board?—*I have, especially as to the medical relief of the sick poor.*⁹⁵

*John Savage*⁹⁶

[*Mill opened the questioning.*]

6638. You are a Member of the Islington Vestry?—*I am.*

6639. And a representative in the Metropolitan Board of Works?—*I am.*

6640. How long have you filled those offices?—*Since the passing of the Metropolis Local Management Act in 1855.*

6641. Have you been particular in your attention to local business during all that time?—*Yes; I have been constant in my attention, or nearly so.*

⁹⁵A note indicates that "*The Witness delivered in the documents.—Vide Appendix*"; however, no such statement on the Poor Law appears there.

⁹⁶Died 1875.

6642. Are there any remarks you wish to submit to the Committee on the working of the present system, or any improvements that it may admit of?—*Yes; I think there is one great improvement that might be made. Assuming that these vestries and district boards are continued, I think it would be a very great advantage in the larger ones. I will not say in those composed of so small a number as 36 or 48 members, or possibly of 60, but in all those beyond that number, if they had a permanent chairman. My experience, from that which I have seen, from a constant attendance at my own vestry, and occasional attendances at others, has confirmed me in my opinion that that would be a most desirable improvement.*

6643. Be so good as to state the advantages that you would expect from it?—*[The present disadvantages may illustrate the expected benefits; at present there is a constant changing of chairmen in the Islington vestry, with consequent irregularities and unfortunate situations, including disrupted meetings. Part of the problem is that churchwardens with one-year terms are expected to be chairmen.]*

6644. The duties of chairman of the vestry at present comprise nothing beyond presiding at the meetings?—*[Usually nothing else is required, though when Savage himself was chairman he also chaired the Highways Committee, one of their busiest.]*

6645. Does any duty devolve on the chairman as to the preparation of business for the vestry?—*It has not of necessity been the case; but whilst I was chairman I was always in communication with the vestry clerk, and had very much to do with the business, consulting him prior to its being put in the paper. Still, no official duty of that kind devolves on the chairman.*

6646. I understood you to say that you thought there might be with great advantage a permanent chairman, who might be made useful for administrative purposes, independently of presiding at the meetings. What administrative purposes had you in view?—*I think if, as in the Metropolitan Board of Works, it were expected of him that he should attend the various committees and make himself thoroughly acquainted with the whole business, and also upon certain occasions put himself in communication with other vestries, or with the Government, or with the Metropolitan Board of Works, as might be required; I do not mean in the way of agitation, but to communicate with the Government, or the Board of Works, or with other vestries upon matters common to each and mutually interesting to us. I think in that way he might be made extremely useful as an officer of the vestry.*

6647. A sort of head of the local administration?—*As a sort of head of the local administration.*

6648. In what manner would you have him appointed?—*[He should be appointed as the Chairman of the Metropolitan Board of Works is, by the members at a special meeting. There should be a three-year term, though Savage himself would prefer a permanent chairman, who could be removed by a two-thirds vote.]*

6649. I believe the very able permanent chairman you have at the Board of Works⁹⁷ receives a salary?—*He does.*

6650. The other boards do not?—*They do not.*

6651. Should you recommend that the local permanent chairman should receive a salary also?—*That is a matter to which I have given some consideration, and it does occur to me (without offering any dogmatical opinion about it) that if you called upon the chairman to perform the duties which I have suggested it would not be unreasonable that he should be remunerated, of course, upon a lower and more moderate scale than in the case of the Metropolitan Board of Works.*

6652. Having regard to the administration of the metropolis under the direction of a certain number of select and paid permanent officers, you would probably see a considerable disadvantage in the administration being so minutely divided as it is at present; you would probably wish to give to each of the boards a larger area than they now have?—*I have not given so much consideration to the subject as I might have done if I had intended to go fully into that question; but I think there is force in the way in which you put it.*

6653. Are you acquainted with the plan that has been recently proposed for the division of the metropolis into municipalities, which would correspond nearly, but not exactly, with the Parliamentary districts?—*I have heard of it.*

6654. Should you think that the districts proposed in that plan, which in some cases coincide with the Parliamentary districts, while, in other cases the division is rather smaller, would be a good basis on which to ground the local administration of the metropolis?—*I am not prepared to say; not having fully gone into it, I cannot give a decided opinion upon it.*

6655. Have you, in your experience, been led to think that the divisions are at present too small or that no inconvenience arises from this smallness?—*Many of them are very small; my attention has been drawn more directly to the larger ones, such as our own and some others, the City of London amongst them; we have, as you are aware, under the Metropolitan Local Management Act several very large districts; the City sends to the Metropolitan Board three members, and the other six districts two members each.*

6656. The magnitude of these districts is not much less than in the case of the proposed plan; and in the case of the City of London it is not at all less?—*It is less. The parish of Islington, I may mention, comprises half the borough of Finsbury.*

6657. The difference between such a size as that of your district and the size proposed in the plan is only a difference of degree and detail?—*That is all; I do think that the metropolis is split up into too many divisions; I am rather of that opinion, without having very deeply gone into the question, because, as I have said already, I have thought of the larger districts, and perhaps have not turned my*

⁹⁷John Thwaites; see 231 above.

attention so much as I might have done to the smaller ones; but it has always struck me that they might well be amalgamated and fused into larger districts.

[*Savage reaffirmed his views as to the proper term for chairmen, and the size of districts.*]

6667. In the proposed plan, as in the case of the recent Reform Bill, for Parliamentary purposes it is proposed that the Tower Hamlets should be divided into two districts, and the parts proposed to be taken from Finsbury and Marylebone to go to form an intermediate district of Bloomsbury?—*That would lighten the borough of Finsbury, which is in itself a very large borough.*

6668. Your vestry sends two members to the Metropolitan Board?—*Yes.*

6669. You have been very regular in your attendance, I believe?—*Tolerably constant.*

6670. Has the same been the case with your colleague?—*I think I may say that he has been almost as constant as myself, but his health has not been so good for several months lately, and his attendance less regular.*

6671. Do you find that the attendance of the deputed members of vestries is tolerably assiduous at the Metropolitan Board?—*Yes, I think it is. We average 35 or 36 out of the 45 members. I consider that the attendance is very good: the average is about four-fifths; and, considering that a few members come from great distances, and do not attend often, that makes the general attendance still more regular.*

6672. Has the election of a temporary chairman of the vestry of Islington been the subject of dissensions in the vestry?—*Yes; it has caused very many contests during the last five years to obtain the honour of the chair.*

6673. You are aware that several of the vestries have come before this Committee by petition; I believe yours has not?—*No; they have not taken any active part in the matter.*

6674. Was that owing to the state of opinion in the vestry on the subject?—*I can hardly tell. They repose a good deal of confidence upon most matters in their representatives. They do not make us delegates in our own work, but leave us free to study their interests. They do not meddle so much with outside matters that do not more immediately concern their own business as some vestries do.*

26 July

*William Edward Hickson*⁹⁸

[*Mill began the questioning.*]

6684. You have turned your attention a great deal to the subject of municipal administration generally, and to that of London particularly?—*I have.*

⁹⁸William Edward Hickson (1803-70), City resident and writer.

6685. You are a ratepayer of the City of London, and the owner of buildings in the City, are you not?—*I am.*

6686. And you have been officially connected with commissions of inquiry, and have made a report of the state of the manufacturing districts, which was printed by order of the House of Commons in 1840?⁹⁹—*That was so.*

6687. Are there any points in regard to the municipal administration of the metropolis on which you have any communication to make to the Committee?—*[Had the question of municipal reform been properly tackled in the mid-1830s, when expectations and enthusiasms were high, moderate changes would have prevented the expenditure of the enormous sums now being raised, estimated at £3,500,000 for the Thames Embankment and the New Mansion House Street.]*

6688. In what way do you conceive these sums of money would have been saved?—*[Actual savings would have been realized through the consolidation of jurisdictions, the abolition of useless posts, the reduction of salaries, and greater economy generally. The City of London provides an example of the abuses resulting from divided jurisdiction; Hickson's own rates and taxes illustrate the problems, and show that the burden in the City is much heavier than it is commonly stated to be.]*

6689. Will you mention the items?—*First there are the parochial and union rates, which consist, first, of two new church building rates, of 6d. each.*

[In response to the Chair's probing, Hickson gave more details, then handed in an account of his rates and taxes, and answered further questions about it.]

6709. You include the whole direct taxation of the country, so far as it falls on real property?—*The whole of what is called direct taxation (which I think a misnomer) comes, particularly in towns, upon house rent, and this burden is now getting to such an extent as to approach confiscation, and it checks and impedes most seriously the progress of building improvements in regard to those dwellings best adapted for the middle and working classes.*

[The Chair again went into details about the rates.]

6720. Have you any suggestions to make with regard to the basis of the municipal taxation?—*I have a statement here, which I have drawn up to give a short and comprehensive digest of my views on this subject.*

[Hickson handed in the statement, and the Chair examined him on its meaning and implications. His final question elicited the response that a tax on furniture might be practicable, as on the Continent.]

⁹⁹“Hand-Loom Weavers. Copy of Report by Mr. Hickson, on the Condition of the Hand-Loom Weavers” (11 Aug., 1840), *PP*, 1840, XXIV, 659-717.

6750. Are you aware that the tax on furniture in France is, in some cases, if not in all, virtually a sort of income tax, not being taken on a valuation of the furniture, but on an estimate made by the revenue authorities of what sort of furniture may be expected to belong to a person who lives in such a house?¹⁰⁰—*I am not able to speak of furniture estimates as so formed, and should doubt its being a universal fact.*

6751. I am not aware that it is universal, but no doubt it must have been resorted to on account of the inconvenience, difficulty, expense, and liability to evasion which attended a valuation of the furniture?—*Just so, when the valuation attempted had been unnecessarily minute.*

[*Other potential sources of taxation were discussed, and then the questioning turned to property values.*]

6785. Are there any parts of London where the value has actually fallen?—*I should think there are many. In my own case, in St. Dunstan's, there certainly has been no rise in the value during the 20 years I have held the property.*

[*The proper emoluments, qualifications, and election of the Lord Mayor of London came under discussion.*]

6804. He would not be taken by rotation?—*No, nor in the case of the new Court of Aldermen I have proposed should I have the aldermen elected by the whole of the ward.*

*William Rendle*¹⁰¹

[*The Chair asked the identifying questions, and then Mill began.*]

6901. You have turned your attention to municipal administration generally, and the local government of the Metropolis in particular?—*Only in so far as it is connected with the condition of the lower classes, and more especially in connection with the question of public health.*

6902. You have written on the subject?—*I have written on the subject,¹⁰² and the cause of my writings that I have put forth, partly in newspapers and partly in pamphlets, has been an utter dissatisfaction with the management of health matters connected with the poorest people.*

6903. Will you state to the Committee anything you may be disposed to say upon that subject?—[*Many known causes for illnesses of the poor could not be erased because poor law guardians and, after the Act of 1855, the officers of*

¹⁰⁰“Décret de l'Assemblée nationale du 13 janvier 1791, sur la contribution mobilière,” *Archives parlementaires*, XXII (13 Jan., 1791), 169-72.

¹⁰¹William Rendle (1811-93), surgeon, at one time Officer of Health and later vestryman for St. George-the-Martyr parish, Southwark.

¹⁰²E.g., *London Vestries, and Their Sanitary Work* (London: Churchill, 1865), and *Fever in London* (London: Metropolitan Sanitary Association, 1866).

health, had not the authority or means. He himself had resigned because he was not allowed to carry out the duties of his office.]

6904. Was this from want of power on the part of the board of guardians, or want of will?—*[The problem lay not with the guardians, but with members of the vestry, some of whom did not understand the mode of implementing the new law, but also some of whom were obstructing because of corrupt motives. Faced with the impossibility of his position, he had resigned and, after one failure, was elected as a vestryman.]*

6905. Did you, in that character, renew your exertions to obtain a remedy of these evils?—*It is since that time that I have used my influence amongst the vestrymen, many of whom are patients of my own, and among my friends, to work up a better state of things.*

6906. Have you done so with any success?—*Yes, principally owing to the exertions of one of my friends in the vestry and myself, we have lately obtained another inspector, and that inspector a most active man. Previously our visits were to a very few houses, but now perhaps we have 100 cases inspected every week, and the new inspector tells us that out of the 100 cases inspected, at least 90 of them (I think he said 39 out of 40) are in a very bad sanitary condition and absolutely require amendment. When I urged the appointment of the new officer, it was said that nothing of the sort was wanted, and that the old officer was going on very well, but it turned out that he did not generally inspect, but waited for complaints to be made.*

6907. So far as concerns that particular parish, some improvement has been effected by the choice of more proper persons to the vestry, yourself being one?—*It has; but the endeavour to improve has been such an up-hill fight as no one perhaps would willingly undertake, certainly not unless he had some independence behind him, for there is a great deal of offence arising out of it amongst neighbours.*

6908. Do you think that the obstructions you met with arise from an unwillingness to incur expense for fear of increasing the rates, or from any interest that the members of the vestry have in keeping up the present state of things?—*[Both motives operate. One bad practice is the use of influence by vestrymen to become paid officers.]*

6909. What would you recommend by way of remedy for these evils? Would you recommend a change in the mode of constituting the local boards, or the substitution of anything else for the present vestry system?—*I published a pamphlet entitled London Vestries and their Sanitary Work, at my own expense, and circulated it at my own expense. The Metropolitan Sanitary Association required me to read a paper on the same subject, which has also been published. I have endeavoured to show that the extension of disease amongst the poor is partly owing to neglect in the locality, and partly to neglect in the arrangements; and I have stated in one of the pamphlets that there must necessarily be, in order to*

counterbalance the self-interests which are at work in small bodies, some power behind, readily to be got at, to which you can appeal, to compel the local body to do its manifest duty.

6910. Of what nature do you think the body should be to which the appeals should lie?—*I think it should not be a controlling, over-riding body, to destroy local representation or local power altogether; but that if, for instance, a respectable minority in a vestry or even a considerable number of ratepayers outside, who felt that their body, whether elected properly or not, were not carrying out their duties in a proper spirit, there should be a central body of a fully over-riding power in that matter, to come down and insist upon the local authority doing its duty according to law, or else to do the work itself and charge it to the local authority.*

6911. Have you turned your consideration to the question of how this controlling body should be composed, or by whom it should be appointed?—*I do not think it should be the Metropolitan Board of Works, because I can see plainly the pressure put upon the representatives of the different vestries who form that Board. With regard, for instance, to a first-class water supply, which is so much wanted in the metropolis, I can fancy that the various interests in these bodies might influence the members and prevent the public good that we should expect; I would rather have a body to be called upon only now and then. I think it should be a Governmental authority, such an office as might come out of the Privy Council.*

6912. A kind of department of health in the general government, or would it include other subjects besides public health?—*[Rendle replied that he felt competent only concerning matters of public health. He then mentioned the difficulty of dealing with the problem in the parish.]*

II. SELECT COMMITTEE ON EXTRADITION

“Report from the Select Committee on Extradition, together with the Proceedings of the Committee, Minutes of Evidence, and Appendix” (6 July, 1868), *PP*, 1867-68, VII, 129-338.

12 May, 1868

*Edmund Hammond*¹

[The questioning turned on the fact that a proposed treaty of 1859 between Britain and the U.S., extending extradition to embezzlement, was rejected by the U.S. partly because of a clause requiring that it be ratified by Parliament. There

¹Edmund Hammond (1802-90), Undersecretary of State for Foreign Affairs from 1854.

had been no such clause in the Ashburton Treaty of 1842 (PP, 1843, LXI, 1-8), but it had been ratified by Parliament, and all recent treaties involving money or other matters requiring parliamentary sanction had included such clauses.]

56. It was on the proposal of the American Government, was it not, that the matter was taken into consideration at this time?—*Yes, they proposed to extend the treaty in the same manner as the treaty with France of 1843 had been extended.² To that treaty an additional article was added in 1845, and a further additional article in 1858, extending it to crimes which had not at first been included.³*

57. Then did our Government object to extend the treaty to the case of embezzlement unless it were to include all embezzlement, and not merely embezzlement of public funds?—*I presume they did, because it would have been of very little use to the mercantile community if it excluded general embezzlement, which they were very anxious to have included.*

[In response to the Chair, Hammond agreed that the British desire was to make it general.]

59. However, the overture for an alteration in the Treaty came from the United States?—*Yes, it came from the United States.*

[In the view of the witness, the negotiations substantively broke down over the question of embezzlement, though formally over parliamentary ratification. He recalled no controversy over piracy, though the governments differed over its definition.]

69. Are there any other instances than that of Anderson⁴ in which either America or this country have refused a case of extradition that was demanded under the Treaty?—*I am unable to say; because the Foreign Office has no cognizance of the intermediate stages between the issue of the warrant of apprehension and the warrant of extradition; but I have a list of a certain number of cases which have occurred since the new Act passed.*

[The questioning turned to the Treaty with France, and Hammond handed in a list of British demands for extradition since the Act of 1866.⁵]

90. These then are cases that have occurred since 1866?—*Yes.*

²“Convention for the Surrender of Criminals between France and the United States, signed at Washington, 9 Nov. 1843,” in *The Consolidated Treaty Series*, ed. Clive Parry (Dobbs Ferry, N. Y.: Oceana Publications, 1969), XCV, 393-7.

³The first article added robbery and burglary, the second forgery, counterfeiting, and embezzlement (*ibid.*, XCV, 398-401, and CXVIII, 325-6).

⁴John Anderson, a runaway slave who had mortally wounded one of his pursuers, and whose extradition from Canada was demanded by the U.S. (see *Annual Register*, 1861, 520-8).

⁵29 & 30 Victoria, c. 121 (1866), amending the extradition treaty. Mill spoke on this treaty in Parliament; see Nos. 36, 37, and 39.

[On the matter of French complaints that England hardly ever extradited people to France under the original treaty,⁶ it was ascertained that a new treaty had been negotiated in 1852,⁷ but had not been passed by Parliament. France had eventually, in 1865, denounced the 1843 Treaty on six months' notice.⁸]

132. Do you mean that the draft of the new convention having failed to become operative, owing to Parliament's not passing the Bill that was presented to give validity to it, there was, between the failure of that attempt to make a new treaty in 1852 and the time when the French denounced the old treaty in 1865, no intermediate negotiation between the French Government and our own upon the subject?—*Communications may have passed, but they did not assume the shape of a negotiation; in fact, I may say fairly, that it was felt to be hopeless to attempt to go to Parliament for an Act to give effect to such an extradition treaty as France would wish to have.*

[Discussion centred on the failure to negotiate extradition treaties with other states, owing, in Hammond's judgment, to the futility of taking to Parliament bills that would be thrown out.]

163. I think I have understood you to say that, within your official experience, it is only with France that there have been any difficulties about the actual execution of a treaty, and that the difficulties which have arisen there, have arisen from our requiring an amount of evidence which the French authorities do not think ought to be required?—*In a few words that is about the state of the case, I think.*

[Discussion on difficulties in Parliament continued, and reference was made to the complaint by the French government about unequal treatment.]

172. On what did the French complaint turn; was there any case of the delivery of any prisoner to Denmark who would not have been delivered to France?—*I believe that the French Government, having made a great number of treaties with different States, considered themselves very much aggrieved because England would not come into what they sometimes called a general law of Europe upon the subject of extradition. There could have been practically no complaint about a person having been actually given up to Denmark. The first person, I believe, given up to Denmark was given up the other day, and he was not a convicted person.*

173. Was the fact this, that whenever we gave up a person to Denmark the

⁶"Convention between Her Majesty and the King of the French, for the Mutual Surrender, in Certain Cases, of Persons Fugitive from Justice" (13 Mar., 1843), *PP*, 1867-68, VII, 257.

⁷"Convention between Great Britain and France, for the Mutual Surrender of Criminals," *British and Foreign State Papers, 1851-52*, XLI, 20-36.

⁸See Henri Godfroi, prince de La Tour d'Auvergne-Lauraguais (1823-71), Letter to the Earl of Clarendon (4 Dec., 1865), *PP*, 1866, LXXVI, 373-4.

Danish Government had to produce an amount of evidence which France was unwilling to produce in a similar case?—*The Act of Parliament of 1866 applies to all treaties, and enables the magistrate to be satisfied with the same character of evidence from all countries.*

[*The Chair ascertained that concerning evidence all treaties were on the same footing; the treaty with Denmark differed on a non-evidentiary matter, the inclusion of *condamnés*.⁹*]

176. The difference between the treaties as regards the *condamnés* is of course a totally distinct question. In the case of a *condamné* the only evidence would be the record of the condemnation, and proof of the identity of the person; no other evidence would be required?—*Yes.*

177. But in the case of persons who are only accused, or who have been condemned *par contumace*, that other evidence would be required, and I suppose the evidence would be the same, whatever the country was?—*Yes.*

178. Therefore, there is no reasonable ground of complaint on the part of France that we have done for Denmark what we have not done for France?—*No; not as regards the evidence on which extradition is granted; the Act was made purposely general to apply to all countries.*

[*The witness developed at length his view that a general Act should be passed, giving in detail the permissible kinds of evidence and a definition of all extraditable crimes, without reference to reciprocal treaties, and then criminals could be deported to countries covered by specific Orders in Council.*]

205. We understand in what way you get rid, by your plan, of difficulties arising from the different definitions that the laws of the two countries may give of the same crime. But how would you meet another kind of difficulty which might require you to make a distinction between different kinds of acts which still come under the same category of crime in our own law? For instance, if there were to be a general Extradition Act, it would, of course, extend to murder; now, the most delicate cases of all are precisely the cases of those political offences in which the person demanded would, according to the law of our own as well as of any other country, be chargeable with the offence of murder, if the Government chose to prosecute him for it. For example, take the case of a person who shot a sentry from a political motive. If that act had been committed in this country, would not he be liable to be prosecuted for murder in this country, and if so, would he not, under the Act which you propose, be liable to be delivered up to the country claiming him?—*The provision of the Act which I propose, of course, would be subject to limitations and restrictions; in the first place there would be the restriction that a*

⁹“Extradition Convention between Denmark and Great Britain” (15 Apr., 1862), in *The Consolidated Treaty Series*, CXXV, 465-70, Art. 1.

person should not be given up for a political crime; one of the clauses of the Act would be, "No one shall be delivered up under this Act for a political crime," and also it would be provided that any man delivered up must be bonâ fide tried for the crime for which he is delivered up.

[The question of politically motivated murders was discussed.]

208. The difficulty which we have now reached is exactly that which more than any other it is the business of the Committee to find a means of resolving, and the Committee would be extremely glad to receive any suggestion you could offer for that purpose. The difficulty is this: any disaffected person who for the purpose of changing the Government of a country, has attempted to raise a civil war, or in any way gone beyond speaking or writing, has technically made himself liable to a charge either of murder, or attempt to murder, or robbery, or some other crime which in other circumstances would be a proper subject for extradition. You do not want to surrender persons who have done what they have done solely as insurgents, but you do want to surrender them if they have done it in any other character. The difficulty is to suggest a mode of distinguishing the cases in which, although the origin of the offence may have had something to do with politics, still it is not a proper case for exemption, from the cases in which the general character of the offence is properly political, and such as you do wish to exempt. For instance, if a case has occurred of a person claiming the throne of a foreign country, who landed in that country and shot a sentry,¹⁰ there can be no doubt, I think, that in the general opinion of this country it would have been wrong to have delivered him up, supposing he had escaped to England. If, then, his extradition had been demanded upon a charge of murder, do you think that the general Act which you would like to have passed ought to be one that would have authorised extradition in that particular case?—*It is much better to let a man go scot free than to run the risk of exposing a person given up under an extradition treaty to be tried for a political offence. It is impossible to get at perfection, and I would, rather than run that risk, exclude from the operation of the Act, by a special clause, any crime committed in connection with a political crime; I think it is always understood that persons charged with political offences should not be given up. Under our present treaties we should certainly not give up a person charged with a political crime; but I am not sure whether we should be borne out in our refusal by the terms of the treaties. They must be construed in this instance by public policy.*

209. It would not be possible, then, that the definition of the offence in the general Act should exactly coincide with the definition of the English law, because I apprehend that such an act as that to which I am referred, would have been murder, as well as treason, under English law?—*The definition would, in the case supposed, be qualified by the special proviso.*

¹⁰An allusion to Napoleon III of France and his attempted *coup* at Boulogne (see No. 36, n8).

210. Then you do not think that the Act ought to authorise the extradition of every person charged with murder, even though the evidence be conclusive that he committed it?—*I think it would be dangerous to do so if the murder was committed in connection with a political crime; the only way you could meet the difficulty would be by an understanding in some form or other, with the foreign Government, that if a man given up under such circumstances, should be acquitted of the murder, he is then to be returned to the asylum from which he was surrendered.*

211. Then he is to be tried for the murder?—*He would be tried for the murder, and if acquitted, would then be sent back to England.*

[If convicted, he would be executed.]

214. Let us take the case of the American war; one cannot call anything done by either of the belligerents, morally murder; but I apprehend that technically a rebel who kills anybody in battle, might be tried for murder?—*The case of the Clerkenwell criminals would be the most appropriate case.¹¹ persons doing an act which, by our law, would be murder, killing bystanders, for instance.*

[Dwelling further on political crimes, Hammond gave his opinion that, in the case of a Fenian killing a policeman for political motives, and fleeing to France, Britain could not ask for his extradition.]

233. Not for the crime of murder?—*No.*

[Hammond's interpretation of the present treaties was that though they did not specifically exclude political crimes, because they were not included in the lists of extraditable crimes, they were excluded in practice. Therefore a person accused of treason by assassination would not be given up.]

238. Might not there be a real intention of trying him for the offence for which he was given up, and yet the offence might have been political; for instance, that the alleged murderer had been concerned in an insurrection, or in some political act in which persons lost their lives?—*I think the mere fact of his being concerned in an insurrection would take his offence out of the category of crimes for which we should give persons up.*

239. You think that under an Act which made murder a case of extradition, you could refuse to deliver up a political insurgent, although he might have shed blood?—*Certainly; of course when such a case arose we should refer to the law officers of the Crown, and they would have to pronounce an opinion upon it.*

¹¹In this incident, on 13 November, 1867, the Fenians attempted to rescue Richard Burke (1838-1922) and Joseph Casey, his assistant, from Clerkenwell prison in London. They blew a hole in the prison wall, the explosion killing twelve people, but did not succeed in freeing the prisoners. Michael Barrett (1841-69), who was convicted of the crime, was the last man to be hanged publicly in England.

[Under repeated questioning, Hammond, referring to his official capacity, refused to say whether he thought foreign governments might seek extradition on ordinary grounds for someone in fact suspected of political motives.]

251. Might not a foreign government do that in perfect good faith?—Yes, they might do so in perfect good faith, and, of course, if we gave the man up we should be relying upon the good faith of the government to whom we gave him.

252. But although they might be in perfect good faith in demanding a person for the very offence for which they meant to try him, still might not that be an offence really political, and one which ought not to be made a case of extradition?—It might be so; there would be a choice of difficulties; but, on the whole, I think it would be much safer not to give the man up.

253. I mean without imputing any bad faith to the foreign government?—Certainly.

19 May

Thomas Henry¹²

[Henry indicated that of six applications from France in two years, two were successful. He then gave the details of one of the latter, a case of fraudulent bankruptcy, when two unsuccessful appeals were made by the accused. During the examination the bankrupt's assignee appeared and gave oral evidence.¹³]

292. Was the assignee cross-examined?—Yes; I ought to have mentioned that the man was defended by a solicitor and counsel; in fact, in all the cases I have known, the persons have been defended by solicitor and counsel, and they have had ample time and opportunity for preparing their defence. In this case, the first day when they appeared they said they were unprepared, and I adjourned the case for two days, I think, and then they came again and the case was fully gone into; they afterwards went before the Court of Queen's Bench. Perhaps the Committee would like to see a short report of the case. It is given in Clarke's Treatise on Extradition, which I have here, and it is also very fully reported in the Queen's Bench Reports.

[Henry indicated that the second successful application had special significance in clearing up a dispute over the meaning of French law. The law officers had held that a judgement par contumace was a condemnation, and therefore a person under such a sentence would not be extraditable; Henry's view, subsequently vindicated, was that it meant merely a conviction of contempt of court, and that subsequent trial under the substantive charge would follow extradition.]

¹²Thomas Henry (1807-76), Chief Magistrate of the Metropolitan Police Court, and a negotiator with France for the treaty of 1866.

¹³See "Police," *The Times*, 23 and 29 May, 1866, both p. 11. The bankrupt was Victor Widermann (b. ca. 1831), and the assignee Adolph Picard.

306. Perhaps that impression was founded upon the circumstance that a *judgement par contumace*, although it is not practically so, is technically a condemnation, since the sentence could not have been executed on his return to France without a trial?—*Just so; we did not understand a judgment of that sort here, because we have no similar judgment in the courts of this country.*

[*Henry averred that in England there was no such judgment in criminal courts, though there was in Ecclesiastical courts, and in civil causes there was judgment by default.*]

309. A judgment by default in civil cases can be executed, can it not?—*Certainly; if the process of the court is served upon the person, you can go on in his absence in a civil cause, but never on any criminal charge.*

[*Henry outlined the American case,¹⁴ in which embezzlement, not an extraditable offence under the Treaty, seemed clear, but the attempt to prove forgery failed. In the trial it emerged that while forgery was a State offence in New York, it was not a Federal offence, and the Treaty was of course with the Federal government.*]

352. There is no criminal law which applies to the United States generally, is there?—*Our criminal law is generally used there, I believe. Still there are certain States which have passed Acts for themselves, which are binding upon all courts in that particular State. That was the case in the State of New York. However, the Court of Queen's Bench decided that that could not be taken into account, because it was an Act of the Legislature that was peculiar and applicable only to that State, and did not apply to the United States generally; therefore the man was discharged.*

[*Questions were asked about the form of United States' depositions.*]

355. If the Court had been satisfied that it was forgery according to the law of the United States, although not according to the English law, could the accused person have been delivered up?—[*When the point was raised in court, it had been ruled that there must be a common element. This was crucial, because offences are not easily equated in different jurisdictions. For example, fraudulent bankruptcy is defined differently in France and England, and, further, the English laws are subject to change over time. It was Henry's opinion that the word faux in French law corresponded to the English forgery.*]

362. Are there not cases which are not forgery by our law, although they are *faux* by the French law?—*I am not aware of any.*

363. It has been generally said that there are, has it not?—*Of course in any extradition case we must be satisfied that it comes within both; at least that is the*

¹⁴The case of Charles Windsor, teller for the Mercantile Bank of New York, accused of forgery in 1865 under New York law. (See 122 *English Reports* 1288-91.)

received opinion upon extradition law. I may, perhaps, here observe that extradition law is comparatively in its infancy in this country.

[In Henry's view, the law was working adequately, except that the number of specified offences was too small. He was not aware that a defence on political grounds had been made.]

368. I imagine, from the statement of cases you have given, that among the very small number of cases that have occurred, no such case has come before you?—*No such case has come before me.*

369. Supposing that the extradition of an accused person was demanded upon a charge of murder, and it should appear that the murder alleged consisted in killing some one in an act of insurrection, or attempted insurrection, should you, in such a case as that, consider yourself bound or at liberty to deliver him up?—*I should look at the depositions to see whether the case amounted to treason. If the case amounted to treason, then it would not be within the treaty, because the treaty does not include treason as one of the offences.*

370. Do you think that by including murder, and not including treason, it would justify a court of justice here in refusing the surrender of any person who could have been tried for treason, for the same act for which he was demanded on a charge of murder?—*The law of extradition expressly excludes political offences. In our treaty there is no clause to that effect; but it is well understood law, and it is laid down by all the French authors, but especially in a circular letter from the Minister of Justice addressed to all the magistrates in France,¹⁵ that in matters of extradition political offences are to be ignored; that is to say, no extradition is to take place for a political offence.*

371. That might be interpreted to mean that a person who had committed a political offence, such as sedition, or an attempt at insurrection, though attended with any violation of life or property, could not be demanded under the treaty?—*He could not.*

372. That is clear?—*Yes, it is. It would, perhaps, be right to mention to the Committee that that is generally laid down as a principle of French law, with regard to extradition, and all their treaties contain a clause, that political crimes are not to come within the treaty. I have here a copy of all their treaties; they are 53 in number.*

[All French extradition treaties, Henry established, contained a clause excluding political crimes, except three in which an additional clause made applicable crimes against the head of government.¹⁶]

¹⁵“Circulaire du ministre de la justice du 5 septembre 1841, relatant les principes de la matière d'extradition,” App. 7 of the present report, 288-90.

¹⁶The treaty with Belgium (22 Nov., 1834, in *Consolidated Treaty Series*, LXXXIV, 457-63) referred to in the next questions expressly excluded political crimes in Art. 5. It was modified by an additional convention of 22 September, 1856 (*ibid.*, CXV, 437-9).

384. So that it appears that by the interpretation of the French Government, proved by this public act, of concluding a supplemental treaty, they could not, under the extradition treaties, have demanded even a person who attempted the life of the Emperor of the French?—*They could not previously to the supplemental treaty.*

[*Henry referred again to the circular letters binding French magistrates not to claim persons for political crimes, so the lack of such a clause in the British Treaty made no practical difference.*]

387. Was there in the original treaty between France and Belgium any special provision against the delivery of political offenders?—*There was; I will read the words in the first treaty which relate to it; it is dated the 12th December 1834: "Il est expressément stipulé que l'étranger dont l'extradition aura été accordée ne pourra dans aucun cas, être poursuivi ou puni pour aucun délit politique antérieur à l'extradition ou pour aucun fait connexe à un semblable délit, ni pour aucun des crimes ou délits non prévus par la présente convention;" that was the first Belgian treaty.*

[*The question arose as to the status in French law of the circular letter which, Henry opined, was effectively law, France not being quite like England in that respect.*]

401. But, then, could not any future Minister of Justice or of the Interior (whichever it is that issued it) revoke that circular letter?—*Then if he did that we could revoke the treaty.*

[*Henry reaffirmed the effective status of the circulatory letter.*]

406. That is good evidence no doubt of what the present views of the French Government are upon the subject, but those views may change?—*No doubt.*

[*The circular letter, dating back as far as 1841, expresses rather the French government's view than its treaty duties.*]

408. There are two questions; one is whether a person whose extradition is demanded for forgery, or some other offence, may be tried for something else, which something else may be a political offence; that is clearly precluded by the article you read in the Belgian Treaty, except so far as that is modified by the subsequent treaty. But is not it consistent with the article in the Belgian Treaty, that the very offence on which a person might be demanded upon a charge of murder, or some offence against property, might really be a political one, as in the case of the deserter who shot the gendarme?—*If the original demand was for one offence they could not under any circumstances try him for a different offence.*

409. But suppose they had made their demand originally for an offence which may include cases really political, though it is not peculiarly a political offence, such as murder. If they had made a demand for a person upon a charge of murder,

no doubt they could not have tried the person upon any charge except that murder, but might they not have tried him for that murder, although it might have been a political murder?—*Under the first treaty they could not.*

410. You are sure of that?—*Yes, I am sure of that, but now it is a different thing, in consequence of the supplemental treaty. France leaves to every country the right of judging what is a political offence. I particularly inquired when I was in Paris, and indeed since, whether they had any definition in their code, or in any of their books, as to what was a political offence, and they said, “No, it would be impossible to have a definition of it; we must leave to every country to judge what they deem a political offence, and if they so deem it, to refuse to deliver up a person demanded.”*

411. There they would have no ground of complaint against us in whatever manner we defined a political offence?—*Yes, but they thought that question was likely to arise between France and Belgium, they being adjoining countries, and both sovereigns considered that it was desirable at that time to have the clause inserted which I have read.*

[*The issue of defining crimes arose, and Henry pointed out that English judges already had to take account of French law, for example, concerning bankruptcy.*]

447. As well as the English?—*Yes, it must be both. That is the opinion of the Lord Chief Justice; at present there must be what he calls a common element.*¹⁷

[*Henry was examined further on the inclusion of defined extraditable crimes.*]

496. If those offences were included which you think should be included in the Extradition Treaties, do you not think that political offences might be brought within them?—*I do not think any of the offences I would put in would be such that political offences could be included in them.*

497. You would include murder?—*Yes; no doubt the question might arise upon a charge of murder, as in the case which I put where in the Italian war a man shot a gendarme in Italy and escaped to France.*

[*Henry would include attempts to murder which also, of course, might then be ruled to be political.*]

499. You would have full power of receiving any evidence admissible by our own legal rules, to prove, not that the act had not been done, but that it was, properly speaking, political, and not murder or robbery?—*Yes.*

500. If that was made out to your satisfaction, or if such a case was made out as you would have acted upon if it had been a case beginning and ending in our own country, you would think yourself justified in not delivering up the person?—*I should. I should say you have made a charge against the accused of murder, but*

¹⁷See the answer to Q. 355, concerning the Charles Windsor case.

the charge really against him is treason; treason is not in the treaty, and therefore I cannot give him up; your warrant is for a different offence from that which he has really committed.

501. You would consider yourself at liberty to limit the technical or legal meaning of the word murder, so that it should not include any case that admits of being charged as treason?—*Yes, I should in an extradition case.*

[*Discussion of French procedures included the timing for cross-examination.*]

525. At what stage of the proceedings?—*When the case comes before the Cour d'Assises.*

526. That is, at the final trial?—*Yes.*

527. Therefore, that does not apply to the depositions sent to you?—*No, it does not; it could not be otherwise where an accused had absconded before a warrant was issued.*

[*In Henry's view, the French sent all depositions on to the British when a case was in issue, although they said only that those sent were "the depositions."*]

532. It might be only that they might think there was enough already, and that it would be superfluous to send more?—*Yes.*

533. Yet, if they did send more, it might lead to the discovery of flaws in the evidence?—*I have always the power to say, I will remand this case; and as there were other depositions taken, I require them to be sent over.*

[*Concerning French interpretation of political crimes, Henry was of opinion that particular circumstances would determine whether an attempted assassination was political or not.*]

564. Supposing that a political motive existed, and that no other motive was alleged?—*Then it would be clearly treason.*

565. That being so, you think that the extradition treaties would not extend to that case?—*No, certainly not, as they exist at present, with the exception of Belgium and the Pontifical States, and Chili.*

566. And then only by virtue of special supplemental engagements, limited to attempts upon the life of members of the Royal family?¹⁸—*Yes; that takes them out of the general rule.*

[*An attempt upon a member of a royal family, if made for private motives, would not exempt from extradition.*]

569. But it is clear to you, that where the motive is political, a man cannot be given up, although he may have committed murder?—*There is not the slightest*

¹⁸See Extradition Convention between France and the Holy See (19 July, 1859), in *Consolidated Treaty Series*, CXXI, 7-12, Art. 9, and Extradition Treaty between Chile and France (11 Apr., 1860), *ibid.*, CXXII, 79-81, Art. 7. For Belgium, see n16.

ground for apprehension with regard to that. The moment you show that it is treason, it becomes political, and is not the offence with which the man was charged.

[Again it was affirmed that France's extradition treaties included a clause exempting political offences.]

579. That is not the case with the treaty between France and England, is it?—*It is most curious that that was excepted; I cannot tell why.*

[Attention being called to the anomaly that a person accused of murder could avoid extradition if also accused of treason, Henry indicated that the law or treaty could be so framed as to avoid the problem.]

607. Will you inform the Committee what mode you would suggest of drawing the distinction?—*Yes; you might draw the line at any attempt to overturn the Government, for example. I do not know whether the House of Commons might wish to go so far as that; am I merely asked my own opinion about it?*

608. Merely your own opinion?—*I think the exception, with regard to political offences, goes rather too far in France.*

609. What would you think, for instance, of such a definition as this: that if an act charged as murder had, if committed at all, been committed in the course of an insurrection, or for the purpose of inciting to insurrection, with a view to change the Government, it should be considered a political offence; but, if not, it should be considered an ordinary offence?—*That is to say, if it was in a state of civil war.*

610. If it was in a state of civil war, or if it was done for the purpose of inciting to civil war?—*That would apply to the Clerkenwell case,¹⁹ because it may be that the Fenians who blew up the Clerkenwell prison wanted that as a commencement.*

611. Still, all the evidence would tend to show that they only wanted to release the prisoners?—*Yes.*

[Henry was of opinion that clauses could be worded so as to distinguish between shooting a policeman or soldier in an insurrection or seditious riot, and shooting him in the back on the street.]

622. Would you be able to state to the Committee in what way it could be defined?—*I should require a little time, if that is to be reduced to writing; I am not prepared, sitting in this chair, at this moment, to draw up an Act of Parliament which would meet that object, and give a definition.*

[Given time, he would have no objection to attempting such a definition.]

624. You alluded to another distinction which might be drawn, and which might be important; for instance, it might be proper to treat as murder the killing of

¹⁹See n11.

anyone in a seditious riot which was not an insurrection; that would just cover the case of the Clerkenwell people, or the Manchester people;²⁰ because when the object is merely to obstruct the operations of the Government, but without any prospect or design to effect a change in the Government, it is much more desirable to check that than the other?—*Yes; I had that distinction in my mind.*

[*As to the case of a person condemned par contumace, the same evidence would be required as for anyone else.*]

636. He would be treated like any other accused person?—*Yes, we call him an accusé.*

26 May

Thomas Henry, continued

[*After discussion of several French terms, the witness said he would never act on his own knowledge of their meaning, but only with expert advice.*]

699. Is it not the practice in France, when persons who are present and persons who are absent are charged with being concerned in the same crime, to find those who are present guilty, and condemn those who are absent *par contumace*, the only reason for considering them contumacious being that they could not be found in the country to serve the process upon?—*I believe that is so; but that is a matter which I would rather leave to a French advocate also.*

[*Referring back to his last answer to Mill, Henry said he had assumed that Mill meant it was impossible to serve the process.*]

705. I meant only so far impossible to serve him, that the person could not be found in the country?—*Yes, when he cannot be found.*

[*Henry read his proposed clause concerning political offences: "No person shall be claimed or surrendered for a political offence; political offences shall be deemed to be such offences as are committed by persons engaged in insurrection or rebellion against a reigning Sovereign or Government; but any attempt against the life of any reigning Sovereign, or against the life of any member of his family, shall not be deemed a political offence within the terms of the treaty." The wording came under question.*]

721. Would it not be necessary to add not merely offences committed by a person in insurrection but acts committed with a view to excite insurrection, because the act in question may be the first step in an insurrection, as, for instance,

²⁰Colonel Thomas James Kelly (1833-1907) and Captain Timothy Deasy (ca. 1838-88) were being conveyed through Manchester in a prison van on 18 Sept., 1867, when some of their fellow Fenians attempted to rescue them by storming the van. A guard was killed, and three Fenians, later known as the "Manchester martyrs," were hanged: Michael Larkin, Michael O'Brien, and William Philip Allen (1848-67).

in the case in evidence of a person claiming a throne and invading a country; the first act which he might do might subject him to a charge of murder, and yet he could not be said to have been engaged in insurrection previously, because the act would have been the first overt act of insurrection?—*I think it would be desirable to add that; but I did not feel at liberty to go much further than I have done.*

[*After questions concerning Orders in Council, Mill turned to another topic.*]

725. You mentioned the case of Müller?²¹—*I did.*

726. What evidence was furnished to the American Courts in that case?—*I sent over what I considered very full depositions, and I sent over two warrants of arrest by different packets. I believe it was the first time that that had been done, but I considered that it was perfectly legal to do it. It was important that the officer who arrived first should have the opportunity of arresting Müller, and not knowing which would arrive first, I sent two warrants.*

727. Did you send any person to give oral evidence?—*Yes; I was going on to add, that I recommended that some of the material witnesses should accompany the officer, and I believe that it was fortunate that I did so.*

728. Does it appear to you unreasonable in itself, apart from the objections which some foreign governments might feel, that it should be necessary, whenever the extradition of any person is applied for, to send some witness capable of being cross-examined, who could testify to the main facts of the case?—*I think it would not be practicable. I think so much objection would be made to it, that they would rather decline to make applications than submit to that condition.*

729. You think, however, that it was fortunate that you did so in the case of Müller?—*I believe it was.*

730. If you had not, do you believe that the case could not have been established against him?—*I do not go quite that length, but I handed in, last time I was examined, a report of what took place before the magistrate, in New York, in that case; I judge from that; but if the Committee would like to know what took place before the American magistrate, the inspector who went over there and heard everything, could be examined; it was Inspector Tanner.*

[*Questioning centred on the interpretation of terms.*]

748. I understand you to say that, by the present practice, and, as you conceive, by the present law, the country upon whom a demand is made has a right to define what is a political offence, for which they will not deliver up: would it not, then, be

²¹Franz Müller (1840-64), a German tailor living in London, was accused of the murder of Thomas Briggs (1793-1864) on a railway train, 9 July 1864. The dramatic case, extensively reported in *The Times*, involved his being pursued to New York on a faster vessel by Chief Inspector Richard Tanner and two witnesses: John Death, a jeweller, and Jonathan Matthews, a cabman. He was arrested when his boat landed, extradited, tried, and hanged. (See, e.g., "The Surrender of Franz Müller," *The Times*, 13 Sept., 1864, 10.)

better that the treaty should merely exclude the delivering up of all political offenders, leaving the decision as to what are political offences to the surrendering country; and do you not think that any definition of what is a political offence, or any rule to be laid down, as it could be only a rule to be laid down for the guidance of our own courts, would be better laid down in an Act of Parliament than in a treaty?—*I think it would. I only prepared this as the Committee requested me to do so.*

[*Henry reaffirmed his view that the French took great care in criminal proceedings.*]

755. I understood you also to say that the depositions furnished to you in support of a demand for extradition are furnished in a stage of the proceedings at which the accused person has had no opportunity of cross-examination?—*Yes, just so; and it is entirely ex parte evidence which has not been subjected to the amount of scrutiny to which it would be subjected before you. That is necessarily so, because the accused person has gone away; and, therefore, any evidence which is taken must of necessity be taken in his absence.*

756. Unless he has escaped?—*He was not forthcoming; there was no opportunity of having him present. The depositions before our tribunals before the warrant is granted are taken ex parte. In that case they are not called depositions; they are called informations, but they are taken ex parte.*

757. But if a person charged before you, who did not attend to the summons, and against whom depositions had to be taken in his absence, was afterwards apprehended, would he not be brought again before you, and would not his case be again heard before he was committed?—*Yes.*

758. In that case he would have an opportunity of saying whatever he could say in his defence, and of producing counter evidence, if it were in his power to do so?—*Yes; no doubt our system is better in that respect.*

759. Therefore the depositions taken before you are a stronger assurance of there being a good *primâ facie* case against the accused person than the depositions taken in France are?—*We cannot alter their practice in that respect.*

[*The treaty between France and Belgium provided that a person accused of attempted assassination of a sovereign, even from political motives, would be given up.*]

764. But that is under a supplemental treaty, is it not?—*Yes.*

765. Which supplemental treaty France, if I understand you rightly, has with only three countries?—*Yes.*

766. I think you said that those were Belgium, the Papal States, and Chili?—*Yes.*

[*The examination returned to the question of whether the depositions sent by the*

French were complete, Henry reaffirming that he believed them to be so, but could not prove them so.]

793. Is that which is sent called the *dossier*?—*It is; it is the name known in their chambers.*

794. Is it certified to be the *dossier*, or is it certified to be an *extrait du dossier*?—*It is not an extrait; I never saw an extrait.*

795. It is certified; but there is no certificate from which you could tell that what is sent is the whole, though you think it is?—*Yes; that is the form in which it comes.*

[Contrasts between French and English procedure were discussed.]

818. In any case you would not deliver up any one on these depositions, until he had been heard upon the effect of the depositions, and had an opportunity of disproving what the depositions stated?—*Yes, he or his counsel would have that opportunity.*

819. But they would not have the advantage of cross-examination; that they could not have under the circumstances?—*No; but if they could afford to bring over evidence to disprove what was stated in the depositions, they would have the opportunity of doing so.*

820. They would be allowed to comment upon the depositions, and to raise any argument founded upon their not having had an opportunity of cross-examination?—*They would; and they have introduced that argument in nearly every case.*

*Henry Thurstan Holland*²²

[The witness mentioned, in connection with engagements for extradition by colonies, the case of Malta and Italy.]

827. Would there be the power of trying an Italian subject in Italy, for a crime committed in Malta?—*I think the Italian Government would have that power.*

828. But we should not?—*No; a colonial court could not try for offences committed out of the colony, except in certain cases specified by Imperial Acts.*

[A British subject could be tried in England or Ireland for a murder committed anywhere.]

830. I believe the French Government had not that power until a recent Act was passed in France, by which French subjects were enabled to be tried on their return to France for crimes committed in foreign countries?—*An article was inserted in the Code in 1866.*²³

831. I believe they had not that power before?—*Possibly not.*

²²Henry Thurstan Holland (1825-1914), legal adviser to the Colonial Office.

²³Art. XI, Bull. 1400, No. 14,336, in App. 2 of the present report, 238.

[*The questioning was miscellaneous.*]

837. Under the convention which concerns Malta,²⁴ could political offenders be demanded?—*There is no mention made of political offenders; but they would not be surrendered, I apprehend, according to the general rule. It has always been understood that political offenders are not to be given up.*

838. What is the date of that convention?—*The date of the convention is 1863.*

839. Was there any convention previously between the Maltese authorities and any of the Italian Powers before the kingdom of Italy was constituted?—*None. I have desired inquiry to be made into that point, and I can find none.*

[*Inter alia, the arrangements between the British West Indies and Venezuela were discussed.*]

900. I believe it is said that in some of the Spanish American States, it is usual for brigands to describe themselves as patriots, and to assume the guise of insurgents against the reigning power, and cover their acts by that means. In such a case as that, have you any idea by what considerations a Colonial Government would be guided in determining whether to surrender or to refuse to surrender a person charged with brigandage?—*I apprehend that if there is a scintilla of political motive; if there is any political character in the offence of any sort or kind, they would refuse to give the man up.*

[*Reference was made to the refusal to give up to French Guiana people who had merely fled to British Guiana.*]

912. If I rightly understand what you said, it would have been necessary to have delivered up those persons, if it had been in Malta?—*After the ordinance had been passed, I think it would have been necessary to have given up persons charged with any of the crimes specified.*

913. Breaking prison was included among the cases for which there was to be extradition there?—*Yes; I think it was included.*

914. In that case, if it had been in Malta, the authorities would have examined whether the refugees had been imprisoned for a political offence or not?—*I should rather imagine that it would be for a prisoner who was charged, and brought up before a magistrate, to set up the defence. If he could in any way set up that it was a political offence, he would be allowed to do so. That has always been the case before our magistrates in the American cases; the offender has always been allowed to set up the defence that he was acting under orders from the Confederate Government.*

915. So that, although breaking prison is an offence for which extradition can in that case be demanded, still, if the person was in prison for a political offence, his breaking prison would also be considered a political offence, and he would not be

²⁴Malta, Ordinance No. 1 of 1863, App. 3 of the present report, 239-41.

surrendered?—*It would be rather difficult to give a distinct answer to that question. I should think he would not be surrendered if he had been imprisoned for a political offence.*

[Concerning the Guiana case, the British had issued an Ordinance²⁵ providing for delivery of escaped convicts, on the presentation of evidence of the conviction, identity, and escape; it was not put into effect, however, as the French refused to pass a corresponding law.]

924. If the French had consented to come under a corresponding obligation, and the Colonial Ordinance had come into force, would it have been necessary under that ordinance to give up a person who had escaped from confinement, having been placed in confinement as a political offender?—*I should think certainly not; it would not have been necessary to give up political offenders who had escaped from confinement.*

925. My question refers to this; if nothing was requisite to be produced but evidence of the conviction, the identity, and the escape, it seems as if the country from whom extradition was demanded were precluded from entering upon the question of how the person came to be imprisoned?—*I should imagine not; I speak with diffidence, because I have not had much experience upon the matter; but I understand that it is an implied rule governing all these treaties and conventions, that political offenders are not to be given up. Sir Thomas Henry said that if a prisoner came before him, whether he was accused of crime, or had escaped from prison, if he could show that he was really imprisoned for a political offence, or that he was only accused of a political offence, he would not be surrendered.*

926. If a colonial legislature were to pass an Act, by which they should be empowered or required to surrender political offenders, you think that, according to the principles acted upon in the Colonial Office, the Royal sanction to that Act would be refused?—*I should incline to think so.*

[The examination turned to colonies in the East Indies.]

960. Before the surrender of any person upon the demand of the Sultan of Borneo, or any other Asiatic prince, what kind of previous examination takes place?—*It is only in the case of Borneo that we have such an arrangement,²⁶ it does not apply to any other Asiatic prince.*

961. The Rajah of Quedah?—*That treaty is under consideration yet, but it is substantially in the same form.²⁷ The application is made to the Governor in each*

²⁵British Guiana, Ordinance No. 2 of 1861.

²⁶“Ordinance of the Government of Labuan, for Facilitating the Apprehension and Surrender of Certain Offenders Escaping to Labuan from the Dominions of the Sultan of Borneo” (4 Feb., 1857), *British and Foreign State Papers*, 58 (1867-68), 754-6.

²⁷“Treaty between Great Britain and Spain, Respecting Quedah” (6 May, 1869), *ibid.*, 59 (1868-69), 1147-50.

case; the Governor then issues his warrant to any magistrate to aid in apprehending, and the magistrate inquires into the case. If he is satisfied, he certifies back to the Governor that he is satisfied, and the Governor issues his warrant of delivery.

[Depositions would be sent, but were not governed by a specific clause.]

963. Is there a British resident, or any other British agent, at the Court of the Sultan of Borneo or the Rajah of Quedah?—*Not at Quedah; the British resident is at Siam. Quedah is under the authority of the King of Siam.*

[The Governor of Labuan is also the agent for Borneo.]

965. Are you aware what used to be the practice under the East India Company's government with regard to the extradition of persons demanded by the native princes?—*No, I cannot say that I am.*

966. Are you aware that in most cases there was a right on the part of the native Government to demand prisoners in certain cases, but that when there was, as there usually was, a Resident or other political officer stationed at the Court of a native Prince, the trial which the person underwent when delivered up was virtually a trial by that British officer; because, although it might be ostensibly by the tribunal of the native Prince, it was the duty of the Resident to watch over the proceedings, and he had a right to be fully cognisant of them, and, in fact, no sentence could be passed of which he did not approve?—*I was not aware of that.*

[The arrangements between Hong Kong and China came under examination.]

982. Do you find that, in the case of China, that takes place which takes place very often with the Native princes of India, namely, that insurgents are demanded as robbers?—*I do not think we have any case in the Colonial Office of any insurgent having escaped to Hong-Kong, and being demanded. The truth is we have very few cases indeed in the office that I can find, but I can quite understand the possibility of such a case.*

983. The usual practice of the Native princes in India is to demand those as robbers whom they wish to punish as insurgents?—*I can quite understand that.*

9 June

Edmund Hammond, resumed

[It emerged that there were cases in which individuals had been given up to Britain where treaties did not exist, simply out of good disposition.]

1068. Are there any instances in which we have delivered up any person in that unofficial way, as a matter of complaisance?—*I should think not; but Sir Thomas Henry could best speak to that.*

[Hammond amplified his previous evidence on several matters.]

1094. Did I rightly understand you upon the former occasion to say, that although you think that offenders should not be delivered up, if there is even a slight tinge of politics in the offence, yet you saw a difficulty in providing against that by the terms of treaties?²⁸—*[Yes; there is no provision in our existing treaties for exempting political offenders from surrender; but the thing is understood, and we certainly, I think, should object to giving them up. I believe Sir Thomas Henry the other day quoted an instruction of the French Government to their different préfets, saying that a man was not to be given up who was charged with a political crime. That, of course, as between the French Government and their own officers, is quite sufficient; but internationally it is not sufficient, because it involves no international obligation between France and England. I only wished to make the observation because there was some stress laid upon that letter of the French Minister to préfets. Internationally it involves no obligation, though in the improbable supposition that the French would ask for a political offender, of course we should feel ourselves at liberty to quote it against them.]*

1095. But Sir Thomas Henry, besides referring to that instruction, also said that in all the numerous extradition treaties between the French Government and other nations, with the exception of that with England, there is an express provision that political offenders are not to be surrendered?²⁹—*I have not examined the treaties carefully, but I think most probably that is the case, because it would be in the spirit of the French instructions.*

1096. Those treaties, of course, are internationally valid?—*Wherever that provision is contained in an extradition treaty, of course it is internationally valid; but there is no international validity in the instructions to the préfets.*

1097. If those treaties are found to work well, do you see any difficulty or objection to our having such a provision in any future treaty we may enter into?—*No; certainly we ought to have such an article. I should be very glad indeed, if we could make an arrangement that a man given up for a crime should, after being tried for that crime, be sent back to this country if he was acquitted; but we should have great difficulty in reciprocating it. The case of Lamirande was somewhat similar; the French Government said, "We have got him, and we cannot legally give him up." That was precisely the answer we should make in England in a similar case.*

1098. Might you not have an alternative provision, that each Government, if such a case arose, should either send the man back, or set him at liberty; and although we could not, consistently with our own law, send him back, we could consistently with our own law set him at liberty?—*Yes; but you could not put him in the same position of security in which he stood before he was given up. Many a man is set at liberty at the Old Bailey, and re-arrested at the door.*

²⁸In his answers to Qs. 216 and 246.

²⁹In his answers to Qs. 578-9.

1099. In order not to demand from foreign Governments what we were not prepared to reciprocate, we might be obliged to give that alternative, instead of stipulating that he should be sent back to the country from whence he had been taken, since we could not comply with that condition on our own side?—*I think it would be very illusory, because, even supposing you prevented his being tried again, you would leave him under the surveillance of the police of the country in which he was set at liberty, and therefore the man would not be in the same position as if he had been sent back to England. But I apprehend that, in passing an Act of Parliament, there would be very little difficulty in making provision for the supposed case in the Act, and as the Act of Parliament would be special in all its circumstances, one speciality more or less would not signify much.*

1100. You see no reason why we should not pass an Act of Parliament which would authorise us, in the case of the acquittal of any person who had been surrendered by France, or any other country, to send him back to that country; you see no objection to our binding ourselves to do that by treaty, and passing an Act of Parliament to enable us to do it?—*I see no objection to it at all; it would be something like the Alien Act.³⁰ Whether there would be any constitutional difficulty, I cannot say; you might pass a special Act, but it would be to meet a particular case which might never occur.*

1101. It would be very different from the Alien Act, would it not?—*Yes; I am only mentioning that with regard to sending a man out of the country. We had power under the Alien Act to send a man out of the country. I can see no reason why we should not have a similar power in the case supposed.*

1102. It would not be liable to the objections which have been raised to the Alien Act, would it?—*No.*

*Richard Mullens*³¹

[Concerning the difficulty of proceeding in cases of fraud, Mullens mentioned the case of Heilbronn,³² who fled first to France and then to the U.S., whence he was extradited, but was found not guilty of forgery.]

1157. Was this man convicted for larceny on a separate indictment?—*Yes; he was charged on two separate indictments, one for forgery and the other for stealing.*

[Heilbronn had not claimed protection subsequently. The case ran from 1853 to the end of 1854, as Mullens recollected.]

1160. Was it at the Old Bailey?—*Yes, it was at the Old Bailey.*

³⁰33 George III, c. 4 (1793), a temporary act renewed from time to time with modifications, but fallen into disuse after 1843.

³¹Solicitor to the Association of Bankers.

³²Alexander Heilbronn, whose extradition from the U.S. in March 1854 is reported in 12 *New York Legal Observer* 66.

[Mullens asserted that all extradition cases, including those of persons found in Scotland and Ireland, should be held in one central court in London, where the cases would be examined most carefully.]

1180. You think that when a foreign government asks for extradition, we ought to give the accused person the benefit of the best criminal tribunal we have?—*I think so, I think we ought to have a thorough investigation, and only to give up persons in cases in which we are thoroughly satisfied.*

[The interrogation turned to preliminary proceedings in extradition cases.]

1193. What do you think of the admission of written depositions?—*I think you could not obtain extradition without them. Take the case of America. In Windsor's case they sent over depositions. If I recollect right, I doubted in the first instance whether those depositions were sufficient, and I had to send again for more.*

[Mullens was of opinion that someone accused, acquitted on the offence specified in the warrant of extradition, could be tried for another offence, provided it was on the same facts.]

1209. Then he would be tried for the same act, though it might be a different crime?—*Yes.*

[The French Treaty is such that only one offence could be specified in a warrant.]

1216. As I understand it, the treaty with America would not prevent our trying a man upon a different offence from that for which he has been given up?—*It would not; there is no stipulation that he shall not be tried for another offence.*

1217. Would you wish to extend that state of things to other countries?—*With regard to America I have never found any difficulty about it; but since I have heard the question discussed in this room, I began to think a little more about it, and with regard to the continent of Europe we might consider it necessary that there should be some stipulation as to what should happen to a man if he was acquitted of the crime with which he was charged in the extradition warrant.*

[If someone is accused of a crime other than that given in the warrant, he should, with the permission of the other government, be tried for it.]

1222. If that were the case, might he not be tried for a political offence also?—*He might.*

1223. Do you think that that would be desirable?—*Certainly not.*

1224. How would you guard against it?—*That was one of the points I was coming to. In any convention, or in any Act of Parliament, or in any arrangement we might enter into, there should be an express stipulation that no person should be delivered up for a political offence.*

[*The effect should be that no one should be tried for an offence not stipulated in a treaty, and that political offences should be excluded.*]

1227. The offence must not only be one arising out of the same facts, but it must also be an offence mentioned in the extradition treaty?—*Yes; I think so; it must be an offence for which he could have been delivered up if his extradition had been first demanded upon it.*

[*Questioning continued on the problems of trial for more than one crime.*]

1230. Is not there this difficulty; the supposition is, that a man is delivered up upon a charge of larceny, and you have reason to suppose that he has committed the crime of murder. Before he could be delivered up on the ground of larceny, *primâ facie* evidence must be adduced of his being guilty of larceny?—*Yes.*

1231. In the case supposed, in which there was no previous idea of trying him for murder, no *primâ facie* evidence would have been adduced in the country delivering him up of his being guilty of murder, and therefore he would have been delivered up for trial without the security of *primâ facie* evidence adduced in the country delivering him up, that he was guilty of that crime?—*He would never, or at least under very rare circumstances indeed, be put upon his trial here without an examination before a magistrate, which would give notice of the fact that he was charged with that crime.*

1232. Undoubtedly; but it seems to be admitted that before any person is surrendered for murder, there must not only be security that he shall be regularly tried in the country which receives him, but also a preliminary investigation in the country delivering him up, and *primâ facie* evidence must be adduced in that country, such as would justify his committal for trial in that country by the laws of that country. If so, and if a person was demanded, and *primâ facie* evidence adduced against him of one crime, and he were afterwards to be tried in the country receiving him upon another, he would be tried without the security of the *primâ facie* evidence of that second crime adduced in the country delivering him up, since the *primâ facie* evidence which would have been there adduced, would have been only *primâ facie* evidence of the crime for which he was surrendered, and not of the other on which he was subsequently tried?—*Yes, it was for that reason that I threw out the suggestion, that the consent of the Government delivering him up should be asked, before he was tried for some other offence than that for which they gave him up.*

[*Questions were raised about the undesirability of immunity from prosecution of someone who stayed in the U.K. after having been acquitted on the charge for which he was extradited, when evidence of his guilt on another charge was subsequently discovered.*]

1237. Would not that case be exactly met by a stipulation to be inserted in the

treaties, that after a person had been acquitted of the crime for which he was charged, he should be sent back to the foreign country which delivered him up; we should then be able again to demand his surrender for the other crime, provided we could produce *primâ facie* evidence of it, that was satisfactory to the tribunal of the other country?—*Yes.*

[*Some treaties expressly gave the acquitted the choice of staying or returning.*]

1239. But in this case he would not perhaps accept the option of being sent back. Might he not have the option of either being put upon his trial at once for the other crime or of being sent back for a preliminary examination in the country which had given him up?—*I do not think that he should be sent back.*

1240. The case is this: he has been acquitted or perhaps convicted, of a minor crime, and it may be desired to try him for a greater crime, such as murder: should you see any objection to allowing him the option I have mentioned, that is, to try him for the murder here unless he claims to be sent back to the country which had given him up; and if he does so, then to demand his extradition afresh, and produce the requisite *primâ facie* evidence against him?—*I should not go through that formality. If we were prepared here with the evidence of another crime, I would not give him the option of going back to the country which delivered him up, but I would at once apply to the other Government for its consent to our trying him for the other offence.*

1241. But what if the other Government said it could not give its consent except in *primâ facie* evidence of the commission of the greater crime. It probably would do so, if it was a Government like ours which really requires *primâ facie* evidence of the crime before it grants extradition. I apprehend we should make the absence of an examination here an objection to giving our consent to the prisoner's being tried for another crime abroad?—*We should have no difficulty in sending to the foreign Government the depositions upon which the man might be committed for trial for the second offence.*

[*Someone who took the option of return, might, if faced with another charge implying extradition, flee to a third country that had no treaty with the U.K.*]

1244. In such a case might not the practice be adopted of delivering him up to the officers of justice of the foreign country, instead of setting him free on the frontier?—*That would entirely meet it.*

16 June

Nestor Treitt³³

[*The witness explained, inter alia, that attempts against the sovereign's life*

³³A French barrister, acting as legal adviser to the English embassy at Paris.

should be considered under the heading of assassinations, and so not seen as political crimes.]

1302. As assassination is never regarded as a political crime, it is of great importance to know what is the definition of assassination according to the French law; because all homicide, even of the first order of criminality, is not necessarily an assassination in France. We do not make that distinction in our English law?—*I will show you the distinction which exists in the text of the law. An assassination is an act of homicide committed with premeditation; a murder is the crime of homicide committed without premeditation, so that an assassination is distinguished from other kinds of homicide. There are two sorts of homicide; that which is committed with premeditation, which is called assassination, and that which is not committed with premeditation, which is called murder simply.*

1303. Then, all murders committed with premeditation, even with political motives, would be cases of extradition, would they not?—*They would be cases of extradition. In 1866 I wrote a report, which must have been sent about that time to the Foreign Office, in which I developed the difference which you allude to, and said that in cases of extradition under a treaty it was necessary to take into account the motive which inspired the premeditation. I can cite an example to illustrate that.*

[Treitt was not sure whether his report had yet been published in England.]

1306. Is the consideration which you think ought to be given to the question as to the motive which has inspired the assassination, recognised by the French law?—*[It is not, and consequently assassinations inspired by ideas of vengeance, rape, or any other passion, are confused with political assassinations.]*

[The interrogation dwelt on definitions of French legal terms.]

1312. Suppose now, that murder had been committed on the person of a Frenchman, who was either a political functionary, or even the sovereign, in an attempt at insurrection; and that this murder had been premeditated in this sense, that the insurrection was premeditated, though it could not be foreseen that the death of this person would have resulted from it, but only that deaths would result from the attempt; would that case be regarded in France as an assassination?—*The question which you put to me is not new in this sense, that an attempt against the life of a public functionary, or other person, on the part of a subject, from a motive of vengeance, has been considered as a crime de droit commun. Thus, supposing an insurgent has a personal hatred against a public functionary or anybody, and takes advantage of an insurrection to attempt his life, that has been considered as a crime de droit commun. But when there has been simply a meurtre as a consequence of the insurrection, that has not been considered then as a crime de droit commun, but as a political crime, as being part of the insurrection. In one*

word, a crime committed on a person during an insurrection does not become a crime de droit commun, unless it has been inspired by private vengeance on the part of him who has committed the crime.

[*Treitt indicated the distinction between a sovereign's being killed indiscriminately among a group, in which case the crime would be political, and his being killed intentionally, in which case it would not, even though the act occurred in an insurrection.*]

1317. We understand that; but you are aware that in war, and particularly since the introduction of the new weapons, it is common to aim at an officer, knowing him by his uniform; that is not done from vengeance, or from ill-will against the individual in particular, but as an act of war?—*You will observe that in the case you cite, it is not the individual who is shot at, but the person clothed with the dignity of an officer. If it is a general, one shoots at the general; but one does not shoot at the particular man who is the general.*

1318. Could not it be said in the same way that Tibaldi shot at the sovereign, and not at the individual?³⁴—*But you will observe that that was a direct attempt against the person; he knew the person at whom he shot; Tibaldi knew the individual he wished to kill, and I would make a distinction between a criminal who did not know the person he would kill and attempted his life only as holding a certain position, and a criminal who knew the person he attempted to kill. That would be the distinction one might make before a jury.*

1319. Then in that case one could not, even in time of war, shoot at a person whom one knew, knowing at whom one shot, without being guilty of assassination as a *crime de droit commun*?—*You know the manner in which Lord Nelson died. It is said that the French vessel had on board an excellent shot (I forget his name at the moment). He asked the captain of the vessel, "Shall I shoot him?" because he saw Nelson on the deck of the Victory. The captain of the French vessel did not give the order to shoot Nelson. He said, "Do your duty as a soldier." The man did so, and shot Nelson. You see that the distinction exists.*

[*The questioning turned to the status of the French circular on extradition.*]

1399. This circular was issued by the then Minister of Justice, M. Martin du Nord?³⁵—*Yes, under the Government of Louis Philippe. The circular is very liberal.*

[*Treitt affirmed that there was now no objection in France to the British law on extradition.*]

³⁴Tibaldi was an Italian worker resident in Paris, tried and convicted for an attempt to assassinate Napoleon III in August 1857.

³⁵Nicolas Martin du Nord (1790-1847), Minister of Justice 1840-47.

1403. In the French procedure is the *accusé* necessarily confronted with the witnesses before the final trial?—*He is generally confronted with the witnesses upon the instruction, and at the trial he is always confronted with the witnesses.*

1404. In his defence has he a right to ask questions of the witnesses?—*His defender and he have the right to cause questions to be addressed to the witnesses; but they must be addressed through the intervention of the president.*

1405. Then, it would depend upon the discretion of the president to put those questions; he can refuse to put them?—*He can refuse to put them, but then, if he refuses, the avocats defending the accused draw their conclusions, and the question may be brought before the Cour de Cassation, whether the president was not wrong in refusing to put a question; for example, if it was a question which was necessary for the defence, and the president has refused to put it, the Cour de Cassation may quash the arrêt, on the ground that a necessary question has not been put.*

1406. Would that be the case; for example, when questions are proposed to be put for the defence, with the object of diminishing the value of the evidence against the accused by bringing out contradictions in the evidence?—*It is at the discretion of the president to put such questions, or to refuse to put them.*

1407. Does the president generally permit questions of that kind to be put?—*Yes, generally; but I will beg you to observe that in the discussion on the plaidoyer in defence, the avocat has the right to show contradictions.*

1408. But the *avocat* cannot show the contradictions unless he can put questions to the witnesses on the trial with reference to the evidence they have given previously?—*The witnesses whose depositions have been taken in writing on the instruction are called again at the trial, and then they make their depositions vivâ voce, and if there is a discrepancy between their depositions given then and those given before the avocat, the accusé has a right to call attention to it, and to ask the president to put a question as to why there is a difference between the written evidence and the verbal evidence.*

1409. Then, he could ask the witness for an explanation of the contradiction between his evidence given at the trial and that which he had given previously?—*Perfectly.*

1410. But those questions, passing through the president, are necessarily in the language of the president; the question is put in the manner in which the president expresses it?—*Yes, that happens sometimes, and it is often the cause of warm discussions between the defence and the court.*

1411. That is to say, the defence can complain against the president with regard to the manner in which he puts the question?—*Perfectly; the defence can do that; there is entire freedom on this subject. One can boldly cause all questions to be put, only the president of the Cour d'Assises, when the question contains an insinuation against the character or honour of the witness, hesitates to reproduce it.*

[*The question was discussed of whether Ledru Rollin,³⁶ who was condemned par contumace over the Tibaldi affair, would have been extradited from England had the proposed treaty been agreed.*]

1414. Then if the French Government had demanded the extradition of M. Ledru Rollin before his condemnation *par contumace*, as being an *accusé* only, you think that the English Government could not have refused that extradition without violating the treaty?—*They could not have refused it without violating the treaty in the French sense, but that would not have been the case in the English sense, because, according to the mode of interpreting the treaty in England, it was necessary that the English judge should have a certainty of the guilt of the person accused; he does not content himself with the proof of the guilt furnished to him, he wishes more considerable evidence.*

1415. He wishes more considerable evidence, but he does not require to be convinced of the guilt of the person accused; he only requires to have such proof as would justify the committal of the person for trial if he was an English subject, and subject to the jurisdiction of the English tribunals?—*My answer to your question is, that if the French Government had demanded M. Ledru Rollin as an accusé before he was condemned par contumace, for complicity in the attempt of Tibaldi, according to the spirit of the treaty, and according to the interpretation given to the treaty in France, England ought to have delivered him up, I think; the extradition of another réfugié, M. Bernard, was equally demanded at that time, but M. Bernard was not delivered up; proceedings were taken against him in England, and he was acquitted.*

[*French law allows trial for complicity in a crime committed in France of persons not resident in France at that time; it would apply for their extradition. This procedure would have covered Ledru Rollin's case.*]

1423. Does not the French law recognise something which is called moral complicity?—[*Yes, but it has been applied in only one case, that of a journalist who was accused of inciting by his articles an attempt on the life of the duc D'Aumale. The term has never been accepted.*]

1424. What was the name of that writer who was then accused?—*His name is Dupoty.³⁷*

1425. It was not M. Armand Carrel?—*No.*

1426. Do you remember that M. Armand Carrel was subjected to a *procès*

³⁶Alexandre Auguste Ledru Rollin (1807-74), French politician prominent in the 1848 revolution, had fled to England in 1849 after taking part in a demonstration against Louis Napoleon.

³⁷Michel Auguste Dupoty (1797-1864), liberal editor of the *Journal du Peuple*, accused in 1841.

criminel for complicity in the crime of Fieschi?³⁸—*At that time, the phrase "moral complicity" was not invented.*

1427. Are you sure of that?—*I am quite sure.*

1428. M. Armand Carrel published a *brochure* at that time: it was in 1836, I think, under the title of Extract from the *dossier* of a person charged with moral complicity in the *attentat* of such a date?³⁹—*Your memory must be confusing between two cases. I have read the pamphlet to which you alluded. This is what occurred. After Fieschi's attempt, Armand Carrel was arrested and remained eight days in confinement. When he came out, he published the documents which had been seized at his house, and in his publication he said he had been interrogated by the judge on his moral participation in the attempt. But he never had to submit to a trial on that account. The words "moral complicity" only appeared in the brochure.*

1429. And that expression has not been used on any other occasion?—*No; moral complicity has not been admitted in French criminal law. I will hand in to the Committee a small brochure, which I have here, written by a young judge in France, in which he speaks of the good results of the visit of Sir Thomas Henry to Paris.*

Henry Thurstan Holland, resumed

[*Interrogation returned to practice in Malta.*]

1445. In 1849, after the taking of Rome, if I remember right, a number of refugees from Rome were either deported from Malta or refused permission to land in Malta. I do not know which it was; but one or the other took place, I believe?—*In 1848 there was a great arrival of Jesuits, who were compelled to leave Naples.*

1446. But this is the very reverse; these were people flying from the Jesuits?—*Yes; I was going to say that some of these were afterwards deported. All the cases in 1849 of which we know anything will be found in a Paper printed for the House of Commons on the 12th of March 1850.*⁴⁰

³⁸Jean Baptiste Nicolas Armand Carrel (1800-36), radical journalist and one of Mill's heroes, accused along with two members of the Société des Droits de l'Homme of complicity in an attempt on the life of Louis Philippe by Giuseppe Marco Fieschi (1790-1836) on 28 July, 1835.

³⁹*Extrait du dossier d'un prévenu de complicité morale dans l'attentat du 28 juillet* (Paris: Paulin, 1835). Mill comments on this in *CW*, XX, 207-8.

⁴⁰"Despatches between the Governor of Malta and the Secretary of State for the Colonies, Relating to the Admission of Foreigners into the Island of Malta" (12 Mar., 1850), *PP*, 1850, XXXVI, 843-917. Mill mentions the matter in *CW*, XXV, 1142.

Appendix C

Petitions in the House of Commons (1866-68)

AFTER 1842, petitioning had little effect on the House of Commons, but Mill was continuing a strong Radical tradition in agreeing to present petitions, seeing himself like his earlier congeners as a representative of the unrepresented, especially of minorities. Though there can be no question about his whole-hearted support of the views of some of the petitions, it must not be assumed that he agreed with all of them; indeed he not infrequently presented petitions on both sides of an issue, and his opposition to that concerning Napier (5 June, 1868) is part of the record. This appendix is not therefore a record of his beliefs; it is, however, an index of his repute nationally as well as locally, and of his exceptionally busy and regular parliamentary activity.

The reports are summarized from the *Reports of the Select Committee of the House of Commons on Public Petitions [RPP]*, checked substantively whenever possible against those in *The Times [TT]*, and (for 1867) against the *St. Stephen's Chronicle*. Indication is given when the petition is given in full in an Appendix to *RPP*, or summarized as part of the entry. In one case, when Mill presented in one day (5 May, 1868) over one hundred individual petitions in favour of Municipal Government for the Metropolis, the entries are (as in *TT*) conflated into one.

1866

19 February

For repeal or reduction of the duty on fire insurance, from merchants, manufacturers, and traders of the city of Westminster. (No. 229, 772 signatures; *TT*, 20 Feb., p. 6.)

22 February

That adequate provision might be made for the religious worship and instruction of Catholic juvenile offenders in the Industrial School at Feltham, from members of the Roman Catholic Church in Farm Street, Berkeley Square. (No. 282, 257 signatures; *TT*, 23 Feb., p. 6.)

Idem, from members of Saint Mary's Roman Catholic Church, Horseferry Road. (No. 283, 733 signatures; *TT*, 23 Feb., p. 6.)

That provision be made for the spiritual instruction of Roman Catholic adults and children in workhouses and reformatories, from members of Saint Mary's Roman Catholic Church, Horseferry Road. (No. 287, 711 signatures; *TT*, 23 Feb., p. 6.)

Idem, from members of the Roman Catholic Chapel in Farm Street, Berkeley Square. (No. 288, 260 signatures; *TT*, 23 Feb., p. 6.)

27 February

For repeal or reduction of the duty on fire insurance, from the Minerva Permanent Benefit Building Society. (No. 408, 1 signature; *TT*, 28 Feb., p. 6.)

Idem, from the Freehold and Leasehold Permanent Benefit Building Society. (No. 409, 1 signature; *TT*, 28 Feb., p. 6.)

Idem, from the London Permanent Benefit Building Society. (No. 410, 1 signature; *TT*, 28 Feb., p. 6.)

Idem, from the Mutual Reversionary Investment Society (Limited). (No. 411, 1 signature; *TT*, 28 Feb., p. 6.)

Idem, from the Carlton Permanent Benefit Building Society. (No. 412, 1 signature; *TT*, 28 Feb., p. 6.)

Idem, from the Professional and Commercial Benefit Building Society. (No. 413, 1 signature; *TT*, 28 Feb., p. 6.)

Idem, from the Athenaeum Permanent Benefit Building Society. (No. 414, 1 signature; *TT*, 28 Feb., p. 6.)

Idem, from the Standard Benefit Building Society. (No. 415, 1 signature; *TT*, 28 Feb., p. 6.)

12 March

For extension of the suffrage to all adult males (excluding peers, those of unsound mind, and those convicted of crimes), and vote by ballot, from inhabitants of the City of London and the Metropolitan Districts, in a public meeting in St. Martin's Hall, Longacre, 12 Dec., 1865. (No. 1461, 1 signature [Edmond Beales], printed in *App.* 180, pp. 77-8; *TT*, 13 Mar., p. 5.)

For repeal or reduction of the duty on fire insurance, from members of the Independent Building Society, No. 7. (No. 1738, 1 signature; *TT*, 13 Mar., p. 5.)

Idem, from members of the Land, Building, Investment, and Cottage Improvement Company (Limited). (No. 1739, 1 signature; *TT*, 13 Mar., p. 5.)

Idem, from members of the Independent Building Society, No. 6. (No. 1740, 1 signature; *TT*, 13 Mar., p. 5.)

13 March

For readjustment and redistribution of Irish Church property, from the parish of Scarriff and Moywe, County Clare. (No. 1708, 323 signatures, printed in *App.* 185, p. 79; *TT*, 14 Mar., p. 5.)

10 April

Praying that those who have suffered from vaccination may be examined at the bar of the House before the Vaccination Bill is passed, from John Lofts and others. (No. 3430, 62 signatures; *TT*, 11 Apr., p. 6.)

12 April

In favour of the Representation of the People Bill, from working men of London in public meeting assembled in St. Martin's Hall. (No. 3776, 1 signature [George Potter]; *TT*, 13 Apr., p. 5.)

17 April

In favour of the Hop Trade Bill, from the brewers of Westminster. (No. 4935, 4 signatures; *TT*, 18 Apr., p. 6.)

27 April

In favour of the Representation of the People Bill, from the Vestry of the parish of St. James's, Westminster, under their common seal. (No. 5871, sealed, printed in App. 523, p. 211; *TT*, 28 Apr., p. 6.)

Idem, from inhabitants of Westminster in public meeting to the number of 2500 assembled (the Members for the City being present) at St. James's Hall. (No. 5872, 1 signature [Charles Westerton], printed in App. 524, p. 211; *TT*, 28 Apr., p. 6.)

7 May

For reduction of public expenditure, from the gentry, merchants, professional gentlemen, and others in Westminster. (No. 7049, 828 signatures; *TT*, 8 May, p. 8, identifies the topic as abolishing the duty on fire insurance and modifying the Income-tax, and says 834 signatures.)

14 May

For a committee of inquiry into the attitude of the working classes towards the opening of the national museums, etc., on Sundays, with evidence from the trade societies and representatives of the large workshops, from a meeting of 1000, including delegates from Trade Societies, in St. Martin's Hall, Dec. 1865. (No. 7357, 1 signature, printed in App. 627, p. 250; *TT*, 15 May, p. 8.)

Praying that in the Bill for the completion of the approaches to the Thames Embankment, the site of Northumberland-house may be treated on the same principles of justice and equity as any other property, from the vestry of St. James's, Westminster. (No. 7785, sealed; *TT*, 15 May, p. 8.)

17 May

Praying that two representatives in Parliament may be granted to the Scottish

Universities, from the Principals and Professors of the University of St. Andrews, signed by the Vice-Chancellor, Principal John Tulloch. (No. 7340, 1 signature, the petition not assigned to Mill in *RPP*; ¹*TT*, 18 May, p. 6.)

In favour of spiritual instruction for Roman Catholic pauper children, from wives and mothers belonging to the Roman Catholic congregation of St. Mary's Horseferry Road. (No. 7475, 231 signatures; *TT*, 18 May, p. 6.)

Praying for an inquiry into his suggestions respecting sewage, the ventilation of the Houses of Parliament, the magnetic and meteorological survey, and other subjects, and into the circumstances under which he was removed from an appointment under the Board of Ordnance, from Franklin Coxworthy. (Not in *RPP*; *TT*, 18 May, p. 6.)

29 May

Against the Bills authorizing the construction of gasworks in the neighbourhood of Victoria Park, from inhabitants of the eastern and other divisions of the metropolis. (No. 8099, 358 signatures; *TT*, 30 May, p. 6.)

1 June

Against the Bills authorizing the construction of gasworks in the neighbourhood of Victoria Park, from inhabitants of the parishes of Stepney, Bow, Hackney, etc. (No. 8325, 224 signatures; *TT*, 2 June, p. 6.)

7 June

For extension of the electoral franchise to all householders, without distinction of sex, who possess such property or rental qualification as may be appointed for male voters, from Barbara L.S. Bodichon and others. (No. 8501, 1521 signatures,² printed in *App.* 747, p. 305; *TT*, 8 June, p. 5.)

8 June

Against the Bills authorizing the construction of gasworks in the neighbourhood of Victoria Park, from members of the East Central (London) Temperance Association. (No. 8705, 58 signatures; *TT*, 9 June, p. 6.)

11 June

Against the Bills authorizing the construction of gasworks in the neighbourhood of

¹A note says that the petition would have been given in full had "the Member presenting the same" complied with the Order of 20 Mar., 1833, that every member presenting a petition "affix his name at the beginning thereof" (p. 570).

²*TT* gives the number as 1515, and says, "Mill stated that the whole of the signatures to it had been obtained during a period of little more than a fortnight." The Committee notes that they "have reported the number of names appended to this Petition, but they observe that, with the exception of seven, they are all written on Slips of Paper and pasted on the Petition" (p. 697).

Victoria Park, from inhabitants and frequenters of Victoria Park. (No. 8706, 566 signatures; *TT*, 9 June, p. 6, implies only one petition submitted.)

Idem, from inhabitants and frequenters of Victoria Park. (No. 8707, 396 signatures; *TT*, 9 June, p. 6, implies only one petition on this subject submitted.)

Praying for a general, in lieu of a county, area of rating for compensation for losses by cattle plague, from inhabitants of the township of Hyde, Cheshire. (No. 8813, 105 signatures; *TT*, 12 June, p. 7.)

Praying for an investigation of the petitioners' right and interest in 21 acres of land, of which they state that they have been unjustly deprived, from Joseph Gibbins and others, chiefly farm labourers, of Shawell, Leicestershire. (No. 8846, 8 signatures; *TT*, 12 June, p. 7.)

5 July

For a committee of inquiry into the currency laws, with a view to protect the working classes and their families from the injury done them by a high rate of discount, from working-men of the city of Cambridge. (No. 9447, 45 signatures; *TT*, 6 July, p. 6.)

Against the Bills authorizing the construction of gasworks in the neighbourhood of Victoria Park, from inhabitants of the East and North of London. (No. 9449, 100 signatures; *TT*, 6 July, p. 6.)

6 July

Praying for justice generally, and specially that the memory of her late husband, who had illegally suffered the death of a traitor and a felon, might be vindicated, and his sentence and execution be declared to have been illegal, from Mrs. Maria Jane Gordon, late of Kingston, Jamaica, and now of 40 Avenue Road, Regent's Park, widow of George William Gordon, who was recently executed in Jamaica. (No. 9451, 1 signature, printed in App. 829, p. 341; *TT*, 7 July, p. 6.)

20 July

Praying that in case of any mediated intervention by France in the affairs of Italy the House will take measures to discountenance such intervention, from Mr. W.J. Linton, of Brantwood, Coniston, Lancashire. (No. 9569, 1 signature; *TT*, 21 July, p. 5.)

23 July

For the postponement of the Artisans and Labourers' Dwellings Bill to another Session, from the Board of Works for the Strand District. (No. 9526, sealed; *TT*, 24 July, p. 6.)

2 August

Praying for inquiry into the conduct of Sir Richard Mayne and the police under his command, in regard to preventing a meeting from being held in Hyde Park, on the 23rd of July last, from inhabitants of the Metropolitan District, in public meeting assembled at the Agricultural Hall, Islington, on 30 July, 1866. (No. 9670, 1 signature [Edmond Beales], printed in App. 875, p. 376; *TT*, 3 Aug., p. 4 [saying 25th rather than 23rd July].)

10 August

Praying that the House will take steps for preventing the annexation of Mysore, and for maintaining that tributary State with every possible security for British interests and for the prosperity of the people of the country, from General John Briggs, the First Commissioner of Mysore; General J.S. Fraser, late resident at Hyderabad and at Mysore; Sir John Low, late member of the Supreme Council of India; Colonel Haines, late Judicial Commissioner at Mysore; General Jacob, late Commissioner of the Southern Mahratta Country; Sir Robert Hamilton, late agent to the Viceroy in Central India; and 50 others. (No. 9640, 56 signatures, printed in App. 869, pp. 36871; *TT*, 11 Aug., p. 6.)

1867

12 February

For Committee of Inquiry into allegations made with reference to the appointment of Sir Fitzroy Kelly to be Chief Baron of the Exchequer, from Rigby Wason of Corwar, Ayr. (No. 330, 1 signature; *TT*, 13 Feb., p. 6.)

15 February

Against the sale of intoxicating liquors on Sunday, from the minister and members of Trinity Independent Church, Dewsbury, Yorkshire. (No. 123, 198 signatures; *TT*, 16 Feb., p. 6.)

28 February

For residential and registered manhood suffrage and vote by ballot, from Henry Beal, of 9, Charles Street, Portman Square. (No. 984, 1 signature; *TT*, 1 Mar., p. 4.)

1 March

Praying that legislative provision be made for the removal to certified Roman Catholic schools of all Roman Catholic children in workhouses, from the Roman Catholics of the congregation of Farm Street Church, Berkeley Square. (No. 1034, 301 signatures, printed in App. 89, pp. 38-9; *TT*, 2 Mar., p. 6.)

4 March

For the repeal or reduction of the duty on fire insurance, from the Westminster Permanent Building Society. (No. 1254, 1 signature; *TT*, 5 Mar., p. 7.)

Idem, from the Second Warwick Building Society, held at the Saint Leonard's Institution, Pimlico. (No. 1255, 1 signature; *TT*, 5 Mar., p. 7.)

Idem, from the Second Warwick Benefit Building Society, held at the Saint Leonard's Institution, Pimlico. (No. 1256, 1 signature; *TT*, 5 Mar., p. 7.)

Idem, from the First Pimlico Building Society, held at 37 Warwick Street, Pimlico. (No. 1257, 4 signatures; *TT*, 5 Mar., p. 7.)

5 March

Stating that the petitioner was the first proposer of schools of design and industrial exhibitions; that with much labour and considerable cost he drew up a plan, for which he was promised pecuniary remuneration by a committee of the House of Commons; that a sum of money for this purpose was voted by the House, but never received by him in consequence of his not knowing when or to whom to apply for it, and praying that the intended remuneration may be given to him, from Robert Thomas Stothard. (Not in *RPP*; *TT*, 6 Mar., p. 6.)

8 March

For repeal or reduction of the duty on fire insurance, from the Seventh Pimlico Building Society, 37 Sloane Square. (No. 1284, 1 signature; *TT*, 9 Mar., p. 6.)

Idem, from the Athenaeum Permanent Benefit Building Society, held at 30 Regent Street, Piccadilly. (No. 1285, 1 signature; *TT*, 9 Mar., p. 6.)

Idem, from the Freehold and Leasehold Permanent Benefit Building Society, held at 20 Great Marlborough Street, Regent Street. (No. 1286, 1 signature; *TT*, 9 Mar., p. 6.)

Idem, from the Professional and Commercial Benefit Building Society, held at 20 Great Marlborough Street, Regent Street. (No. 1287, 1 signature; *TT*, 9 Mar., p. 6.)

Idem, from the Carlton Permanent Benefit Building Society, held at 30 Regent Street, Piccadilly. (No. 1288, 1 signature; *TT*, 9 Mar., p. 6.)

Idem, from the Mutual Reversionary Investment Society (Limited), 30 Regent Street, Piccadilly. (No. 1289, 1 signature; *TT*, 9 Mar., p. 6.)

Idem, from the Land, Building, Investment, and Cottage Improvement Company (Limited), 18 Adam Street, Adelphi. (No. 1290, 1 signature; *TT*, 9 Mar., p. 6.)

12 March

In favour of opening the British Museum and similar institutions thrice a week, from 7 to 10 p.m., from inhabitants of St. Saviour's, Chelsea, at a meeting held on 6 March at the National School Rooms. (No. 1523, 1 signature; *TT*, 13 Mar., p. 6.)

Praying that the penalties for deficient weights and measures may be confined to cases of fraud, from the tradesmen of Dean Street, Old Compton Street, and other parts of Soho. (No. 1559, 126 signatures; *TT*, 13 Mar., p. 6.)

14 March

For the restriction of Sunday trading, from the tradesmen of Bloomsbury, etc. (No. 1638, 126 signatures; *TT*, 15 Mar., p. 4.)

For a measure re-establishing the exemption from rates of hospitals and other like charities, from the House Committee of the Westminster Hospital. (No. 1659, 1 signature, the petition not assigned to Mill in *RPP*;³ *TT*, 15 Mar., p. 4.)

15 March

Praying that women be admitted to the electoral franchise on whatever qualifications—of property, rent, taxation, or education—which the House may adopt in the case of men, from Mrs. Elizabeth Wilmshurst French, of Staplehurst, Kent. (No. 1562, 1 signature; *TT*, 16 Mar., p. 6.)

18 March

In favour of the Bill for the abolition of Tests in the University of Oxford, from the members of the Senatus Academicus of the University of St. Andrews. (No. 1779, 9 signatures, printed in App. 179, p. 84; *TT*, 19 Mar., p. 5.)

19 March

In favour of the repeal or reduction of duty on fire insurance, from the Thirteenth Saint Martin's Mutual Benefit Building Society, 119 Long Acre. (No. 1825, 1 signature; *TT*, 20 Mar., p. 6.)

Idem, from the Eleventh Saint Martin's Mutual Benefit Building Society, 119 Long Acre. (No. 1826, 1 signature; *TT*, 20 Mar., p. 6.)

Idem, from the Fifth Saint Martin's Mutual Benefit Building Society, 119 Long Acre. (No. 1827, 1 signature; *TT*, 20 Mar., p. 6.)

³Again a note that the petition would have been given in full had "the Member presenting the same" complied with the Order of 20 Mar., 1833, that every member presenting a petition "affix his name at the beginning thereof" (p. 134).

Idem, from the Sixty-fourth Starr Bowkett Benefit Building Society, held at the school room, Grafton Street Chapel, Grafton Street, Fitzroy Square. (No. 1828, 1 signature; *TT*, 20 Mar., p. 6.)

Idem, from the Twelfth Saint Martin's Mutual Benefit Building Society, held at 120 Long Acre (No. 1829, 1 signature; *TT*, 20 Mar., p. 6.)

Idem, from the Metropolitan and Suburban Benefit Building Society, 387 Oxford Street West. (No. 1830, 1 signature; *TT*, 20 Mar., p. 6.)

Idem, from the No. 1 Ancient Order of Foresters Building Society, Star and Garter, Poland Street, Oxford Street. (No. 1831, 1 signature; *TT*, 20 Mar., p. 6.)

Idem, from the Warwick Mutual Benefit Building Society, held at the Queen's Arms, Warwick Street, Pimlico. (No. 1832, 1 signature; *TT*, 20 Mar., p. 6.)

Against the Metropolitan Improvements Bill, from the vestry of the parish of St. Martin in the Fields. (No. 1875, sealed; *TT*, 20 Mar., p. 6.)

20 March

For a searching investigation into the present mode of inspecting weights and measures, from the tradesmen of Westminster and Pimlico. (No. 2052, 151 signatures; *TT*, 21 Mar., p. 6.)

21 March

Against the Metropolitan Improvements Bill, from the Board of Works, Westminster District. (No. 2008, sealed; *TT*, 22 Mar., p. 5.)

22 March

For the complete enfranchisement of the working classes, from George Jacob Holyoake. (No. 1889, 1 signature, summary with entry, p. 165; *TT*, 23 Mar., p. 6.)

In favour of amending the Printworks Act by reducing the hours of labour for women and children, from the workpeople employed at Belfield Printworks, Rochdale, Lancaster. (No. 2034, 200 signatures; *TT*, 23 Mar., p. 6.)

Idem, from the workpeople employed at Hollingworth Mill Printworks, Hollingworth, Chester. (No. 2035, 71 signatures; *TT*, 23 Mar., p. 6.)

Idem, from the workpeople employed at Dinting Vale Printworks, Glossop, Derby. (No. 2036, 510 signatures; *TT*, 23 Mar., p. 6.)

Idem, from the workpeople employed at Reddich Vale, Lancaster. (Not in *RPP*; *TT*, 23 Mar., p. 6.)

25 March

That the national museums, picture galleries, botanical gardens, and similar collections be open to the public on Sunday afternoons, from the *employés* of Messrs. Arnold, Jermyn Street, St. James's and others. (No. 2081, 30 signatures; *TT*, 26 Mar., p. 3.)

Idem, from the *employés* of Messrs. P. and W. Wilson, tinplate workers, Wardour Street, Soho. (No. 2082, 71 signatures, printed in App. 236, p. 107; *TT*, 26 Mar., p. 3.)

Idem, from the *employés* of the *London Journal* Office. (No. 2083, 32 signatures; *TT*, 26 Mar., p. 3.)

26 March

Against the Metropolitan Improvements Bill, from a public meeting at Exeter Hall. (No. 2305, 177 signatures; *TT*, 27 Mar., p. 5.)

Idem, from a public meeting at the Store Street Rooms, Tottenham Court Road. (No. 2306, 155 signatures; *TT*, 27 Mar., p. 5.)

1 April

Against the Metropolitan Gas Bill, from Lawrence Lord Barnes. (No. 2677, 1 signature; *TT*, 2 Apr., p. 6.)

Idem, from William John Blew. (No. 2678, 1 signature; *TT*, 2 Apr., p. 6.)

2 April

For alteration in the Representation of the People Bill to get rid of certain qualifications for the franchise, to admit women to the franchise, to alter the redistribution scheme, and to control bribery at elections, from Richard Sleman, an elector of Tavistock. (No. 2488, 1 signature, summary with entry, p. 228; not in *TT*.)⁴

For inquiry and redress concerning the petitioner's claim concerning remuneration from the Committee on Arts and Manufactures, etc., from Robert Thomas Stothard. (No. 3038, 1 signature, summary with entry, p. 255; not in *TT*.)

4 April

For the opening of the national museums, etc., on Sunday afternoons, from

⁴*TT*, 3 Apr., p. 6, gives another petition, perhaps a confused version of this: "Praying that an Act may be passed disqualifying every person concerned in corrupt practices at elections, whether on his own behalf or on behalf of another, from holding any public office or exercising any political privilege, from Lancaster."

working men of various trades in the metropolis. (No. 3061, 264 signatures; *TT*, 5 Apr., p. 6.)

Idem, from the *employés* of the Savile House Printing Establishment, Beaufort Buildings. (No. 3062, 34 signatures; *TT*, 5 Apr., p. 6.)

Against the Metropolis Gas Bill, from Robert Cradock Nichols. (No. 3743, 1 signature; *TT*, 5 Apr., p. 6.)

Idem, from John James Mullins. (No. 3744, 1 signature; *TT*, 5 Apr., p. 6.)

Complaining of the present system of selling and hawking goods on Sunday, and praying for a law to confine trading on that day to articles of necessity, from tradesmen of Westminster and Pimlico. (No. 3145, 187 signatures; *TT*, 5 Apr., p. 6.)

5 April

Praying that the suffrage be granted to women on the same conditions of property, rating, rental, or otherwise, on which it may be granted to men, from Emma Winkworth, Lydia E. Becker, Jacob Bright, and others of Manchester. (No. 3094, 3086 signatures,⁵ printed in App. 320, p. 141; *TT*, 6 Apr., p. 5.)

8 April

For extension of the elective franchise and vote by ballot, from the Executive Committee of the Reform League. (No. 4366, 3 signatures [Edmond Beales, William Dell, George Howell], printed in App. 343, p. 151; *TT*, 9 Apr., p. 6.)

Against the Metropolis Gas Bill, from Benjamin Rawlings, Brompton. (No. 4551, 1 signature; *TT*, 9 Apr., p. 6.)

Idem, from Sarah Gunthorpe, Brompton. (No. 4552, 1 signature; *TT*, 9 Apr., p. 6.)

9 April

In favour of the Metropolis Gas Bill, from consumers of gas in the parish of Saint Martin in the Fields. (No. 5403, 1 signature; *TT*, 10 Apr., p. 6.)

Idem, from consumers of gas in the parish of Saint Clement Danes. (No. 5404, 18 signatures; *TT*, 10 Apr., p. 6.)

Idem, from consumers of gas in the parish of Saint George, Hanover Square. (No. 5405, 34 signatures; *TT*, 10 Apr., p. 6.)

Idem, from consumers of gas in the parish of Saint Saviour's, Southwark. (No. 5406, 19 signatures; *TT*, 10 Apr., p. 6.)

⁵*TT* gives the number as 3161.

Idem, from consumers of gas in the parish of Saint Ann, Fulham. (No. 5407, 29 signatures; *TT*, 10 Apr., p. 6.)

Idem, from consumers of gas in the parish of Saint James, Westminster. (No. 5408, 29 signatures; *TT*, 10 Apr., p. 6.)

Idem, from consumers of gas in Kennington, Lambeth. (No. 5409, 36 signatures; *TT*, 10 Apr., p. 6.)

11 April

For extension of the elective franchise to women, from Clarissa Handforth, 4 Grove Street, Ardwick, and others. (No. 5442, 875 signatures; *TT*, 12 Apr., p. 5.)

Idem, from Elizabeth Hulme, 97 Collyhurst St., and others. (No. 5443, 230 signatures;⁶ *TT*, 12 Apr., p. 5.)

In favour of the Metropolis Gas Bill, from consumers of gas in the parish of Saint Mary le Strand. (No. 5728, 34 signatures; *TT*, 12 Apr., p. 5.)

Idem, from consumers of gas in the parish of Saint Paul, Covent Garden. (No. 5729, 24 signatures; *TT*, 12 Apr., p. 5.)

Idem, from consumers of gas in the parish of Saint Martin in the Fields. (No. 5730, 25 signatures; *TT*, 12 Apr., p. 5.)

Idem, from consumers of gas in the parish of Saint Margaret, Westminster. (No. 5731, 19 signatures; *TT*, 12 Apr., p. 5.)

Idem, from consumers of gas in the Vauxhall Bridge Road. (No. 5732, 29 signatures; *TT*, 12 Apr., p. 5.)

Idem, from consumers of gas in Pimlico. (No. 5733, 30 signatures; *TT*, 12 Apr., p. 5.)

Idem, from consumers of gas in Millbank. (No. 5734, 22 signatures; *TT*, 12 Apr., p. 5.)

Idem, from consumers of gas in the District of Knightsbridge. (No. 5735, 27 signatures; *TT*, 12 Apr., p. 5.)

Idem, from consumers of gas in the parishes of Saint Margaret and Saint John the Evangelist. (No. 5736, 27 signatures; *TT*, 12 Apr., p. 5.)

29 April

In favour of the Metropolis Gas Bill, from 1,812 consumers of gas in Westminster. (No. 6141, 1867 signatures;⁷ *TT*, 30 Apr., p. 6.)

⁶*TT* gives the number as 246, and says the petition was from Manchester.

⁷*TT* gives the number as 1812, and says "also from a public meeting in Westminster."

30 April

Against the Metropolitan Improvements Bill, from the City of Westminster. (No. 6194, 221 signatures; *TT*, 1 May, p. 6.)

Idem, from St. James and St. George, Westminster. (No. 6195, 140 signatures; *TT*, 1 May, p. 6.)

2 May

In favour of the Metropolis Gas Bill, from the Board of Works for the Lewisham District. (No. 6942, sealed; *TT*, 3 May, p. 6.)⁸

Idem, from the Board of Works for the Westminster District. (No. 6943, sealed; *TT*, 3 May, p. 6.)

Idem, from the gas consumers of Brighton. (No. 6944, 7 signatures; *TT*, 3 May, p. 6.)

Idem, from the gas consumers of Bolton, Lancaster. (No. 6945, 89 signatures; *TT*, 3 May, p. 6.)

6 May

Deprecating interference on the part of Government with the intended public meeting in Hyde Park, from the Council of the Reform League at Aberdeen. (No. 8271, 1 signature; *TT*, 7 May, p. 6.)

Idem, from the Council of the Reform League at Parkhead. (No. 8272, 38 signatures; *TT*, 7 May, p. 6.)

9 May

For restriction of selling and hawking goods on Sundays, from tradesmen of St. James's, Westminster. (No. 8663, 181 signatures; *TT*, 10 May, p. 6.)

13 May

For restriction of selling and hawking goods on Sunday, from tradesmen and others of Fetter Lane and neighbourhood. (No. 9108, 105 signatures; *TT*, 14 May, p. 7.)⁹

Idem, from tradesmen and others of Henrietta Street, Chandos Street, Bedford Street, and places adjacent Covent Garden. (No. 9109, 229 signatures; *TT*, 14 May, p. 7.)

⁸*TT* gives this and the following three petitions as *against* the Bill, adds Cambridge and Sheffield, and says the Westminster Board of Works petitioned for a Select Committee on the Bill.

⁹*RPP* does not assign this and the following two petitions to any Member.

Idem, from tradesmen and others of Carey Street, Chancery Lane, and neighbourhood. (No. 9110, 201 signatures; *TT*, 14 May, p. 7.)

14 May

To be heard against the National Gallery Enlargement Bill, by the Select Committee, from the vicar and churchwardens of Saint Martin in the Fields. (No. 9210, 4 signatures, summarized in the entry; *TT*, 15 May, p. 6.)¹⁰

Idem, from the vicar, churchwardens, and others of the parish of Saint Martin in the Fields. (No. 9211, 6 signatures; *TT*, 15 May, p. 6.)

20 May

For extension of the elective franchise to women, from Sarah Steinhall and others of Manchester. (No. 9669, 1750 signatures;¹¹ *TT*, 21 May, p. 7.)

Idem, from Sarah Patchell and others of Manchester. (No. 9670, 108 signatures;¹² *TT*, 21 May, p. 7.)

For altering the time for closing the gates of the gardens of Chelsea Hospital, from inhabitants of the neighbourhood. (No. 9718, 35 signatures; *TT*, 21 May, p. 7.)

Against the Traffic Regulation (Metropolis) Bill, from the Board of Works for the Westminster District. (No. 9743, sealed, printed in App. 617, p. 262; *TT*, 21 May, p. 7.)

23 May

In favour of opening the British Museum and other national institutions on Sunday afternoons, from the *employés* of Charles Aldin, builder, South Kensington. (No. 9781, 65 signatures; *TT*, 24 May, p. 6.)

27 May

Against the Metropolis Gas Bill, as amended, from the Board of Works for the Westminster District. (No. 10,098, sealed, summarized in entry; *TT*, 28 May, p. 8.)

“Mr. Mill hoped that under the peculiar circumstances of the case, which was one of pressing exigency, the House would permit him to say he had just received a telegram from Dublin stating that a petition from Fellows and other gentlemen connected with Trinity College for the remission of the capital sentence on the

¹⁰*TT* evidently conflates this and the next petition, saying the petitioners were the trustees and governors of Archbishop Tenison’s School and those of the parochial school of the parish.

¹¹*TT* gives the number as 2348.

¹²*TT* gives the number as 104.

convict Burke had this day been very numerously signed." (Not in *RPP* for subsequent dates; *TT*, 28 May, p. 8.)

5 June

Praying that an opportunity be afforded the petitioner of proving experimentally the efficacy of his treatment of the cattle plague, from Professor Antonio Bini of the Licensed Chymical Laboratory, Leicester Square. (Not in *RPP*; *TT*, 6 June, p. 8.)

6 June

In favour of the London Coal and Wine Duties Continuance Bill and against the Metropolitan Improvements Bill, from the inhabitants and ratepayers of Regent Street, Oxford Street, and neighbourhood. (No. 10,892, 195 signatures; *TT*, 7 June, p. 6.)

Idem, from the inhabitants and ratepayers of Piccadilly, Jermyn Street, and neighbourhood. (No. 10,893, 47 signatures; *TT*, 7 June, p. 6.)

Idem, from the inhabitants and ratepayers of the City of Westminster. (No. 10,894, 115 signatures; *TT*, 7 June, p. 6.)

Idem, from the inhabitants and ratepayers of Saint Margaret and Saint John, Westminster. (No. 10,895, 59 signatures; *TT*, 7 June, p. 6.)

13 June

Against the sale of intoxicating liquors on Sunday, from the inhabitants of Oakhill, near Bath. (No. 10,720, 57 signatures; *TT*, 14 June, p. 6.)

17 June

For the opening of the British Museum and other national museums etc., on Sunday afternoons, from working men resident in London. (No. 11,181, 203 signatures; *TT*, 18 June, p. 8.)

Praying to be heard before the Select Committee on the Hours of Regulation Bill, from Messrs. Woodfall and Kinder. (Not in *RPP*; *TT*, 18 June, p. 8.)

18 June

Representing the petitioner's great services as the originator of the railway system and of other important inventions, and his distressed circumstances, and praying for inquiry and some recognition of his services, from William Henry James, civil engineer. (No. 11,367, 1 signature, summarized in entry; *TT*, 19 June, p. 6.)¹³

¹³*RPP* does not assign this petition to any Member.

20 June

In favour of alterations in the Factory Acts Extension Bill and Hours of Labour Regulation Bill, from Messrs. Savill and Edwards, printers. (No. 11,361, 1 signature; *TT*, 14 June, p. 6.)¹⁴

Stating that the petitioner's treatment of cholera in Limehouse and Spitalfields during the late epidemic has been eminently successful, and praying for inquiry into its character and merits, from James Barnett. (Not in *RPP*; *TT*, 21 June, p. 6.)

28 June

Praying for inquiry into the excessive mortality from consumption and its connexion with rebreathed air, and for legislation directed to the removal of its causes, from Dr. MacCormac, consulting physician to the Belfast Hospital. (Not in *RPP*; *TT*, 29 June, p. 8.)

5 July

Praying for justice to Prince Azee Jah Bahadoor, of the Carnatic, from the Foreign Affairs Committee of Keighley. (No. 11,977, 3 signatures, printed in App. 882, p. 372; *TT*, 6 July, p. 7.)

8 July

For the opening of the British Museum and other national institutions on Sunday afternoons, from working men, residing in the metropolis. (No. 11,893, 156 signatures, summarized in entry; *TT*, 9 July, p. 6.)

10 July

Against the Sunday Trading Bill, from tradesmen and residents of Lambeth. (No. 12,110, 279 signatures; *TT*, 11 July, p. 6.)

19 July

For inquiry into the possibility of giving better accommodation to the public in the grounds of Chelsea Hospital, from the inhabitants of the neighbourhood. (No. 12,278, 9 signatures, summarized in entry; *TT*, 20 July, p. 6.)

5 August

For an address praying the Queen to acquaint Foreign Powers that the Declaration of Paris, having been made without her authority or consent, is not binding on this country, from the Birmingham Foreign Affairs Committee and from the Foreign Affairs Committee of Ladywood, Birmingham. (No. 12,667, 4 signatures; *TT*, 6 Aug., p. 6.)

¹⁴Given its appearance in *TT* of 14 June, the petition must have been presented on the 13th, but the date of 20 June in *RPP* conforms to the official numbering.

7 August

Praying that a Bill be passed to allow affirmations or declarations to be taken instead of oaths in judicial proceedings, from inhabitants of the metropolis. (Not in *RPP*; *TT*, 8 Aug., p. 6.)

12 August

For an address praying the Queen to acquaint Foreign Powers that the Declaration of Paris, having been made without her authority or consent, is not binding on this country, from the Home and Foreign Affairs Association at Macclesfield. (No. 12,670, 2 signatures; *TT*, 13 Aug., p. 3.)

1868

21 February

Praying that at least two representatives may be given to the Scottish Universities, from the General Council of the University of St. Andrews. (No. 1131, 1 signature, printed in App. 53, p. 26; *TT*, 22 Feb., p. 6.)

In favour of the Bill for Restricting the Sale of Liquors on Sunday, from the Pimlico A.A. Band of Hope, Vauxhall Bridge Road. (No. 1447, 1 signature; *TT*, 22 Feb., p. 6.)

5 March

In favour of the Bill for prohibiting the sale of intoxicating liquors on Sunday, from Thomas Edwardes and others. (No. 1926, 90 signatures; *TT*, 6 Mar., p. 4.)

Praying for the appointment of a Minister of Public Instruction, for introducing Art instruction into national education, and other educational improvements, from Robert Thomas Stothard. (No. 2336, 1 signature, summarized in entry; *TT*, 6 Mar., p. 4.)

10 March

For the repeal or reduction of the duty on fire insurance, from various benefit building societies. (No relevant petitions are assigned to Mill in *RPP*, but unassigned Nos. 2747-57 are from various societies in Westminster; *TT*, 11 Mar., p. 5.)

13 March

For the reduction or abolition of the duty on fire insurance, from the Globe Permanent Benefit Building Society. (No. 3521, 6 signatures, not assigned to any Member in *RPP*; *TT*, 14 Mar., p. 6.)

16 March

Against the Bill for restricting the sale of liquors on Sunday, from Westminster and

other places. (No. 4046, 530 signatures, not assigned to any Member in *RPP*; *TT*, 17 Mar., p. 5.)

26 March

For the reduction or abolition of the duty on fire insurance, from the Eighth Saint Martin's Mutual Benefit Building Society, 120 Long Acre. (No. 6487, 5 signatures; *TT*, 27 Mar., p. 6.)

Idem, from the Effra Mutual Benefit Building Society, 50 Carey Street, Lincoln's Inn. (No. 6488, 1 signature; *TT*, 27 Mar., p. 6.)

For an address to Her Majesty, praying the Queen to acquaint Foreign Powers that the Declaration of Paris, having been made without her authority or consent, is not binding on this country, from the Home and Foreign Affairs Association of Macclesfield. (No. 6506, 2 signatures, printed in App. 275, p. 123; *TT*, 27 Mar., p. 6.)

30 March

Praying that in the Reform Bill for Scotland two representatives, at least, should be assigned to the Scottish Universities, from the Principals and Professors of the University of St. Andrews. (No. 6580, 1 signature; *TT*, 31 Mar., p. 5.)

Praying that in the Reform Bill for Scotland the clause or clauses which would incorporate in the General Council any graduates who have not resided and studied at the University may be omitted, from the General Council of the University of St. Andrews. (No. 6581, 1 signature, printed in App. 285, pp. 128-9; *TT*, 31 Mar., p. 5.)

3 April

Against the disestablishment of the Irish Church, and praying that if the resolutions be carried, the House will immediately dissolve the Union and withdraw the grant to Maynooth, from Hoxton, Westminster, and other places. (No. 9100, 41 signatures; *TT*, 4 Apr., p. 6.)

Against the disestablishment or disendowment of the Protestant Church in Ireland, from Westminster. (No. 9101, 180 signatures; *TT*, 4 Apr., p. 6.)

23 April

For an improved municipal government of the metropolis, from F.D. Lambert, 20 Devonshire Place. (No. 10,977, 1 signature; *TT*, 24 Apr., p. 6.)

Idem, from Major-General Lord Frederick Paulet, Albany. (No. 10,978, 1 signature; *TT*, 24 Apr., p. 6.)

Idem, from Comyn, Ching, and Co., 28 and 29 Castle Street, Long Acre. (No. 10,979, 1 signature; *TT*, 24 Apr., p. 6.)

Idem, from William Hargreaves, 12 Chepstow Villas, Bayswater. (No. 10,980, 1 signature; *TT*, 24 Apr., p. 6.)

24 April

For the repeal or reduction of the duty on fire insurance, from bankers, merchants, manufacturers, and traders of the City of Westminster. (No. 10,694, 571 signatures; *TT*, 25 Apr., p. 6.)

Idem, from the Fourth Saint Martin's Mutual Benefit Building Society, 119 Long Acre. (No. 10,695, 2 signatures; *TT*, 25 Apr., p. 6.)

Idem, from the Thirteenth Saint Martin's Mutual Benefit Building Society, 119 Long Acre. (No. 10,696, 3 signatures; *TT*, 25 Apr., p. 6.)

4 May

For restriction of selling and hawking goods on Sundays, from Westminster, Pimlico, Chelsea, and parts adjacent. (No. 14,830, 303 signatures; *TT*, 6 May, p. 5.)

5 May

Against Mr. Ayrton's amendments to the Artizans and Labourers' Dwellings Bill, from Bassishaw, City of London. (No. 14,889, 44 signatures; *TT*, 6 May, p. 8.)

In favour of municipal government for the metropolis, from a large number of individual petitioners. (Nos. 14,934-15,095 and 15,891, each signed; *TT*, 6 May, p. 8.)

11 May

In favour of municipal government for the metropolis, from F.E. Walpole, 3 Queen's Street, Mayfair. (No. 15,894, 1 signature; *TT*, 12 May, p. 6.)

Idem, from Ernest F. Webb, 4 Westbourne Villas, Harrow Road. (No. 15,895, 1 signature; *TT*, 12 May, p. 6.)

Idem, from Henry Burchett, 9 Saint Stephen's Square. (No. 15,896, 1 signature; not in *TT*.)

Idem, from Arthur Provey, 34 Somerset Street. (No. 15,897, 1 signature; not in *TT*.)

12 May

Praying for an alteration in the vagrant laws, whereby householders and ratepayers may no longer be punishable as vagrants because they practise astrology, from Christopher Cooke, Ryde, Isle of Wight. (No. 15,908, 1 signature; *TT*, 13 May, p. 6.)

13 May

In favour of municipal government for the metropolis, from John Watkins, 34 Parliament Street. (No. 16,068, 1 signature; *TT*, 14 May, p. 8.)

Idem, from J. Hardwicke, M.D., Deputy-Coroner. (No. 16,069, 1 signature; *TT*, 14 May, p. 8.)

14 May

For extension of the electoral franchise to women, from Mary Somerville and others. (No. 15,933, 21,783 signatures;¹⁵ *TT*, 15 May, p. 6.)

In favour of municipal government for the metropolis, from Henry Latham, 15 Upper Westbourne Terrace. (No. 16,071, 1 signature; *TT*, 15 May, p. 6.)

Idem, from William Aston Blount, 1 Eaton Place West, Belgrave Square. (No. 16,072, 1 signature; *TT*, 15 May, p. 6.)

18 May

In favour of municipal government for the metropolis, from Francis Edward Reade, 7 Saint James Street. (No. 16,233, 1 signature; *TT*, 19 May, p. 6.)

Idem, from William Stevenson. (No. 16,234, 1 signature; *TT*, 19 May, p. 6.)

21 May

In favour of municipal government for the metropolis, from Reginald E. Thompson, M.D., 21 South Street, Park Lane. (No. 16,376, 1 signature; *TT*, 22 May, p. 4.)

22 May

Against the chartering and endowing of a denominational University in Ireland, and in favour of opening Trinity College, from the Presbytery of Coleraine. (No. 16,353, 19 signatures; *TT*, 23 May, p. 5.)

25 May

Complaining that proceedings have been taken against the petitioner by the Attorney-General for not having made a declaration and entered into recognizances, under the Act of 1 William IV, c. 73, and praying for the repeal of that and all similar Acts, from Charles Bradlaugh, Sunderland Villa, Northumberland Park, Tottenham, editor of the *National Reformer*. (No. 16,481, 1 signature; *TT*, 26 May, p. 6.)¹⁶

¹⁵*TT* gives the number as 21,757.

¹⁶The heading in *RPP* is "Law of Libel—for Alteration"; under the heading "Newspapers—for Alteration of Law" another petition from Bradlaugh, apparently identical, is given as

26 May

In favour of the disestablishment of the Irish Church, from a public meeting at St. Mary Cray, Kent. (No. 16,447, 1 signature; *TT*, 27 May, p. 6.)

5 June

Representing the injustice of the Abyssinian War, and praying that the House will not confer its thanks upon General Sir Robert Napier and the army, and will appoint a Select Committee to inquire into the whole of the transactions relating to Abyssinia, from the Home and Foreign Affairs Association of Macclesfield, Chester. (No. 16,639, 2 signatures, summarized in entry; *TT*, 6 June, p. 6.)

Complaining of the prosecution of Mr. Bradlaugh, of the *National Reformer*, under the Act of 1 William IV, c. 73, and praying that this and all similar Acts be repealed, from a public meeting of residents of Greenwich and Deptford. (No. 16,975, 1 signature; *TT*, 6 June, p. 6.)

Idem, from a public meeting assembled at Cleveland Hall, Cleveland Street, Fitzroy Square. (No. 16,976, 52 signatures; *TT*, 6 June, p. 6.)

8 June

For the repeal of the Acts of 60 George III, c. 9, and 1 William IV, c. 73, under which the pending prosecution of Mr. Bradlaugh has been instituted, from Matthias Robinson and others. (No. 16,979, 4 signatures; *TT*, 9 June, p. 6, which identifies the petitioners only as "certain persons at Chelsea.")

9 June

In favour of the Married Women's Property Bill, from inhabitants of Belfast. (No. 16,954, 399 signatures; *TT*, 10 June, p. 6.)

10 June

In favour of Married Women's Property Bill, from inhabitants of Birmingham. (No. 17,114, 2434 signatures; *TT*, 11 June, p. 6.)

Idem, from inhabitants of Rochdale. (No. 17,115, 612 signatures; *TT*, 11 June, p. 6.)

12 June

In favour of municipal government for the metropolis, from Messrs. Truman, Hanbury, Buxton, and Co., General Sir De Lacy Evans, and other ratepayers in London. (No. 17,119, 731 signatures;¹⁷ *TT*, 13 June, p. 6.)

No. 16,970, also submitted by Mill; Nos. 16,975-6 and 16,979 below appear under the latter title.

¹⁷*TT* gives the number as 731, plus those named, and probably including the next entry.

Idem, from Edmund B. Ray, 15 Prince's Gate, Hyde Park. (No. 17,120, 1 signature; *TT*, 13 June, p. 6.)

16 June

For the repeal of the Acts under which the *National Reformer* has recently been prosecuted, from residents in Harrow Road and its vicinity. (No. 17,226, 82 signatures; *TT*, 17 June, p. 8.)

17 June

In favour of the Municipal Corporations (Metropolis) Bill, from James Beal, 209 Piccadilly. (No. 17,335, 1 signature; *TT*, 18 June, p. 6.)

25 June

For extension of the elective franchise to women, from inhabitants of Lichfield. (No. 17,362, 311 signatures; *TT*, 26 June, p. 8.)

29 June

For the extension of the elective franchise to women, from inhabitants of Alnwick. (No. 17,364, 163 signatures; *TT*, 30 June, p. 9.)

9 July

For extension of the elective franchise to women, from Eliza Cairnes and others. (No. 17,616, 972 signatures; *TT*, 10 July, p. 4.)

Praying that the power may be restored to parochial authorities of rating the landlords in respect of small tenements or houses let for periods less than a year, and that Clause 7 of the Representation of the People Act be so modified, from inhabitants and ratepayers of the parish of Saint Matthew, Bethnal Green, and adjacent parishes. (No. 17,620, 21 signatures, printed in App. 780, p. 363; *TT*, 10 July, p. 4.)¹⁸

14 July

Against the proposed concessions to the Portpatrick, Belfast, and County Down Railway Companies, from Rigby Wason, of Corwar, Ayr. (No. 17,665, 1 signature, summarized in entry; *TT*, 15 July, p. 6.)

¹⁸Nos. 17,621 and 17,622 repeat exactly No. 17,620, giving 14 and 23 signatures respectively.

Appendix D

I. Manuscript Draft of The Westminster Election of 1865 [2] (1865)

MS, Mill-Taylor Collection, M/T II/1/12, draft of No. 6.

IT IS PROBABLE that many here present would wish me to explain why I have, till now, abstained from all the usual practices of a candidate, and only now for the first time appear at a meeting of the electors. My reasons were stated in the letter in which I consented to be made a candidate; but that need not hinder me from repeating them. When I said in my letter that for myself I do not desire to be in Parliament, I meant what I said. I have no personal objects to promote by it, while it would involve a great sacrifice of my tastes and pursuits, as well as of that freedom which I value the more because I have only recently acquired it, after a life passed in the restraints and confinement of a public office. These private considerations, however, I have waved; but there is something which I could not wave; the strongest repugnance to the means by which the suffrages of the electors are ordinarily sought. To be selected by an important body of one's fellow citizens as the representative of the higher part of their minds—their understandings and consciences—their sincere opinions and their patriotic feelings—is one of the very highest honours which a citizen of a free country can receive. But to get into Parliament as the representative of that portion of the electors, or that part of the electoral mind, which is to be got at by money—or which is to be reached by trickery—by saying one thing and meaning another—by making professions not meant to be acted upon or which, being contrary to one's own convictions, it would be even more dishonest to keep than to violate—this I regard as no honour at all, but a disgrace. Therefore, when some members of this great constituency made me the most unexpected and most flattering proposal to present me for your suffrages, I answered that if it were so, it should not be by spending £10,000 in corrupting and debauching (by strictly legal means of course) all among you who are corruptible and debauchable; neither should it be by taking a single pledge, except that of being always open and unreserved with you; neither should it be by soliciting your votes, for I look upon the whole system of personal solicitation as a mistake; though I am far from condemning those who merely conform to a bad custom, provided they do nothing to make the custom worse than they found it.

But election to Parliament ought not to be a matter of favour. I have no right to ask such favours, nor you to grant them: you are conferring a solemn trust, and you have no right to bestow it on any but the fittest man. This was my reply: and to the honour of Westminster (I may say that much though I am myself concerned) there was found a body of men who had a sufficiently high sense of public principle and of their own honour and that of the constituency to say, Not the man who does these things, but the man who will not do them, is the right man for Westminster, and we will try if the electors of Westminster do not think so too. That, gentlemen, is the reason why I am a candidate. And it would have been quite inconsistent with a candidature grounded on these principles, to have come among you and sought your votes directly and personally. My principles are, that you ought to elect the fittest man: would it have been decent for me to go about among you and say, I am the fittest man? What would you think of a candidate who said, It is your duty to choose a man of merit, Here am I, a man of merit, choose me? I am not here because I propose myself, but because others propose me: and I hope you do not suppose that I think all the fine things about myself which have been said and written about me, with so much exaggeration but with a strength and depth of kind feeling for which I can never be sufficiently grateful, by numbers of people almost all personally unknown to me. You will, I know, excuse what is excessive in these eulogiums, being aware how natural it is for a man to be overpraised, as well as to be unjustly attacked, at a contested election.

Perhaps you will ask, if for these reasons I did not for such a length of time appear before you, why I do so now? I do it for two reasons. In the first place, I was told, by those who had good means of judging, that many of you wished to know more of me than they could learn from what I have written. Now you have a right to an opportunity of judging for yourselves of the man you are asked to vote for. Whatever you want to know about my political opinions, I am bound to tell you—and I pledged myself—it was the only pledge I gave—to tell it you with perfect openness. It would have been as easy for me as for others to have put forth a plausible profession of political faith—not like those colourless and meaningless addresses the newspapers are filled with, which Tory, Whig and Radical might equally sign—which bind them to nothing, and are consistent with almost any vote. I might have made out a long bona fide list of important subjects on which I have the satisfaction of believing that I agree with you—I might have glided gently over all points of difference and kept a discreet silence on every opinion that could startle anybody. Did I do this? I did the very opposite—I issued no address, but engaged to answer any question you chose to ask about my political opinions—and those you did ask, I answered with an unreserve which has been a kind of scandal to the electioneering world. What obliged me to say anything to you about women's voting or about representation of minorities? Would any of you have thought of questioning me on those points? Not one: but you asked me what were my opinions on reform: and being asked it did not suit with my idea of plain dealing

to keep any of them back. By this I lowered myself immensely in the opinion of those who think that the sensible thing for a candidate is to dissemble and finesse, and commit himself as little as possible. How injudicious! cried one. How unpractical! said another. "How can he expect to be elected on such a programme?" was the thought even of sincere friends. In answer to all which, I beg them to consider—First, that perhaps I would rather, if I had to choose, be honest, than be elected. Secondly, that perhaps the electors of Westminster may also have a taste for honesty, and may think that the man who deals honestly with them before he is elected, will be likely to deal honestly by them *if* elected. One thing I am sure of—that, even though a man may now and then lose an election by it, in the long run there is nothing so practical as honesty; and that this is a lesson politicians will have to learn.

You will scarcely expect me to go through the catalogue of the political topics of the day, and tire you with things which you all know as well as myself. It is better that I should confine myself to giving explanations on any points on which you think that they are needed. All I will attempt now is to give you an idea of the general tendency of my opinions. I am here as the candidate of advanced Liberalism, and I should like to tell you what, to my understanding, that expression means. Mr. Gladstone, in one of those memorable speeches which have taught all sincere reformers in the country to look to him as their future leader, has given us his idea of the difference between Liberalism and Toryism. Liberalism, he says, is trust in the people, limited only by prudence; Toryism is distrust of the people, limited only by fear. This is a true and apt statement of the distinction in one of its practical aspects; but there is a still larger mode of conceiving it. The Liberal is he who looks forward for his principles of government: the Tory looks backward for his. The Tory thinks that the really best model of society and government lies behind us—from which we are departing more and more; consisting in the subjection and dependence of the mass of the community, in temporal matters, to the hereditary possessors of property, in spiritual, to the Church. He accordingly opposes, up to the last moment, whatever carries us further from this model. When beaten, he may sincerely accept his defeat, as a necessity of the age; but he still hankers after the past: he still thinks that good government means the restoration of the feudal principle in some shape, perhaps a shape better adapted to the time; and he continues to resist all further progress in the new direction. The Liberal thinks and does the reverse of this. He thinks that we have not yet arrived at a perfect model of government—but that it is before us, not behind: that we are still too far from it to be even able to see exactly what it is—but that we can clearly see in what direction it lies; not in some new form of dependence but in the emancipation of the dependent classes—more freedom, more equality, more responsibility of each person for himself. That is the first article of my political creed. And this is the second. Believing as I do that society and institutions are and ought to be in a state of progressive improvement

—that it is the very nature of progress to lead us to see truths which are not yet seen to be truths—but that by a diligent study of the past, and application of thought to great questions, it is possible to see for a certain distance before us, to perceive some of these truths, and help other people to see them—I therefore think that both in politics and in other matters there are truths which it is already time to proclaim, though in the existing state of opinion the time has not come when they can be carried into practice. That, gentlemen, is what I mean by advanced liberalism. But does it follow, because a person has something to say about the future, that he must be incapable of judging of the present? That if he thinks for tomorrow, he can know nothing about today? The dunces tell you so: but I venture to reverse the proposition. The only person qualified to judge rightly or safely for today, is the one who includes tomorrow in his deliberations: who can see what things we are tending to; which of the tendencies we should favour and which resist; and who will take care that his policy of the moment shall fit us instead unfitting us for the greater good of the future.

I have mentioned one of the reasons why having at first abstained from attending public meetings, I appear before you now. But there is another reason. The contest has changed its character. It is no longer personal to myself. You have not now merely to decide whether you will choose me rather than another man. The question now is, whether the representation of Westminster, hitherto the most honourable seat in the House of Commons, is to be obtained by the honest choice of the electors or by money. That the answer to this should be even doubtful is enough to rouse the strongest feeling of shame in every inhabitant of Westminster who remembers the ancient reputation of his city. We Reformers profess to desire, that the great landed nobility and gentry should no longer be able to hoist their sons and protégés into Parliament over the heads of the constituencies—passing over the minds of the electors, and working through their private interests or their hereditary subserviency. This we object to, and with reason: but what better shall we be, or what will it profit us to weaken the aristocratic influences, if all we gain is that seats in Parliament are put up to auction? What is it but putting them up to auction when they are knocked down to the man who has the longest purse, and is willing to open it widest? Of all existing political nuisances, this is the one which it most concerns all of us to resist; for it is the single one which is increasing, while almost every other is diminishing. The great facilities for moneymaking which arise from the unexampled commercial prosperity of the country, are raising up crowds of persons who have made large fortunes, or whose fathers have made fortunes for them, and whose strongest desire is to make those fortunes the means of purchasing what is called position—in other words, admission into the society of persons higher in rank than themselves. Now there is only one way in which this can be effected by money; namely, through a seat in Parliament. I am the last man to think disparagingly of such persons, or to pretend that they have no business to be in Parliament: many of them have a strong claim, by their knowledge and

abilities, to a seat in the House, and are such men as it can ill spare. But the mischief is, that it is precisely those among them who are least capable of getting elected on their merits—who have no chance of making their way into what is called good society by their talents, their education, or their breeding—it is exactly those who are tempted to employ the only other means open to them of obtaining their end, the lavish expenditure of money in corrupting electors. For there is corruption which is not technically bribery. To gain a seat by giving money to the electors is not less corruption because the elector does not receive the money for his vote, but for ostensible services; it makes no moral difference whether a working man is paid for voting, or for putting, for instance, a placard in his window. A candidate who succeeds by these means, like one who opens the public houses, goes to Parliament as the representative of the vices of the constituency. There is no hope that people will be shamed out of these things until they are cut by society for doing them. You cannot prevent such things from being attempted; but you may perhaps prevent them from succeeding. An experiment is being tried on you, the electors of Westminster. An effort is made to bring in a Tory candidate by an expenditure of money more profuse than any Tory ever ventured upon before in this city. Since it is very well known that the majority of the electors of Westminster are not Tories, it is not uncharitable to say that the supporters of the Tory candidate rely chiefly on money. Had they really thought that the electors have turned Conservative; that you have had enough of Reform; that in your opinion enough has been done in the way of constitutional improvement, and you are now anxious to prevent further change, they would have selected for the distinction of this seat one of their foremost men—one of those who are an honour to their party—such a one, let us say, as Lord Stanley. When instead of the man of greatest merit, they offer you the one who is willing to spend most lavishly, they shew plainly in what they put their trust.

Will you suffer this to succeed? The eyes of all England are on you; all lovers of freedom and purity of election are looking to you with anxious hope. And there is another, a very different sort of persons who have their eyes on you too: those (they are very numerous) who cultivate a contempt for the people. All such persons are watching you, hoping to find you worthy of their contempt. They are already chuckling over what they think the probable success of the extraordinary efforts making to debauch you. They are saying that you have it not in you to elect any person but the man who will spend most money among you—that you have not public virtue for it; that public virtue is not to be expected from such people as you are; and they are eagerly waiting to see you justify their opinion of you. I trust you will disappoint them. If you elect me, and I turn out a total failure—if I disappoint every expectation which has been formed of me—you will have nothing to be ashamed of; you will have acted an honest part, and done, at all events, what *seemed* best for the country. Can the same thing be said if you return the candidate of a party against which Westminster has consistently protested for nearly a

century, and if his victory is due to his money? If this constituency should so degrade itself, it will be a deep mortification to all who put faith in popular representation; Westminster will have fallen from her glory, and can no longer hold her head as high as she has done; and the progress of popular principles, which cannot be stopped, will have to go forward for the present *without* Westminster.

II. Manuscript Draft of Representation of the People [2] (1866)

MS, Houghton Library, Harvard University, MS ENG 1105, incomplete version of No. 16.

ALTHOUGH THE QUESTION on which the House will be called on to divide relates ostensibly to the mere order of proceeding, it will scarcely be denied that we are really discussing the main question; and I need make no apology for confining myself to that. When it is maintained that the House ought not to pass the bill which has been proposed to it, until there has been laid before it some other proposal for the improvement of our representative system, the supposition must be that the present measure, if passed without any such supplementary measure, would be injurious. For if it would not be an injurious, but merely an incomplete measure—one after which there would still remain much to be reformed—the mere common-sense rule of doing one thing at a time would fully justify the course which the Government have adopted. Now, although according to the almost universal opinion of Reformers, many important things will remain to be done after this bill has been passed—though we are, I dare say, as sincerely desirous as the noble mover of the amendment that family and pocket boroughs should be extinguished and that the excessive political influence of a few noble and opulent families should be reduced—though in our desire to make it more difficult for wealthy men to buy their way into the House of Commons or to shut the doors of the House against poorer men by their lavish and strictly legal expenditure, I am bold to say that we do not yield to the wealthiest man present—though we are perfectly orthodox on these cardinal points of Conservatism¹

quick about it—they concealed their presence so successfully—their votes made such an imperceptible difference—they had all this power of endangering our institutions and so obstinately persisted in not doing it—that honourable gentlemen are quite alarmed, and tremble at the thought of the frightful abyss into which we have *not* fallen. Well, Sir, it certainly appears that this amount of

¹Here a page of manuscript is missing.

enfranchisement of the working people has done no harm: but though very useful in many other respects, as a representation of the classes is worth nothing at all: for it makes no difference what absolute number of voters a class has if it is always outvoted. If the working classes mustered 26 per cent in every constituency in the kingdom and no more than that proportion in any, it would be the same thing in a class point of view as not being represented at all. If indeed the mechanism of our electoral system provided any representation of minorities—if those who are outvoted in one place could join their votes with those who are outvoted in another—if any means existed by which 26 per cent of the electors could succeed in returning 26 per cent of the representatives—then indeed the arguments against which I am contending would have a claim to be considered. But as it is, the share of the working classes in the representation is not measured by the number of working men on the register, but by the number of constituencies in which working men are the majority, and even that only shews the extreme limit of the influence which the working men *can* exercise, not that which they will. It seems there are some half dozen constituencies in which working men are already the majority, and I put it to honourable gentlemen, would anybody ever have suspected it? At the head of these constituencies is Coventry: are the members for Coventry usually very zealous champions of working class ideas? It certainly has been remarked that these gentlemen whatever may be their politics otherwise, usually vote quite correctly on the subject of French ribbons; and as that kind of merit comes most naturally to Conservatives the members for Coventry are often Conservative. But I have not heard that any of them ever proposed a tax on power looms or anything else which might be supposed to promote the class interest of his constituents as working men, apart from their employers. If we look at any of the places where working men possess a considerable number of votes, what manner of men are the candidates for whom those votes are given? Almost always great employers of labour: “I admit that the high character and enlightened opinions of the gentlemen chosen fully justifies the choice but” so far from representing the class interests of working men, they are drawn from the very class between whose immediate or apparent interest and that of working men the principal collisions take place. Considering the innumerable modes of influence to which voters are subject, I cannot but think that even if this bill so far altered the constituency that the working classes by mustering the whole of their strength, had the power of returning by small majorities 200 of the 650 members of this house, there would not be fifty of that number who would represent the feelings and opinions of the working classes or would possess their special confidence. For my own part I should not think the whole 200 too many on the principle of class representation. Even if they were unanimous there would be more than two to one against them when they were wrong: they could never carry any working class object unless they were supported

^{a-a} [written on verso of previous folio; marked for insertion at this point]

constantly [?] at least by 130 representatives of other classes, and when they obtained this support there would, I think, be a very strong presumption of their being in the right.

It has been asked—and the person who has asked it with greatest emphasis is my right honourable friend the member for Calne—what practical good do we expect from lowering the franchise? What good measures are there which cannot be carried in the present House but which we expect to be able to carry in the Reformed one? Well, Sir, this is a reasonable question, and Reformers ought to be able to answer it; but it is a little unreasonable to expect that it should be answered to the satisfaction of this House. If I understand my right honourable friend correctly, he thinks we ought to come to the House with a catalogue of complaints against itself of wrong things which the House does and ought to be prevented from doing, and good things which it leaves undone, and ought to be compelled to do, and when convinced by our arguments, the House pleads guilty and cries *peccavi*, then it will be time to bring in a Reform Bill. Sir, my right honourable friend says we ought not to proceed on a priori reasoning but should be practical; I want to know whether this is his idea of being practical. Why, Sir, what he calls a priori reasoning, but which I call the rational probabilities of the case, are the only ground on which this matter can possibly be debated: for if ever we descend to particulars, and point out this or that in the conduct of the House which we should like to see altered, we imply what may be a good argument elsewhere but cannot possibly appear so to the House, for the very reason the House do these things is that they do not think these things wrong; if they did, they would amend them: So that we could not possibly advance our cause by entering into particulars while we should stir up all the most irritating topics in the whole field of politics. Suppose for instance—and I purposely choose a small instance to give the less offence—suppose we were to say that if the working classes had been represented it would not have been found so easy as it has been for honourable gentlemen whose cattle are slaughtered for the public good to get compensation twice over, once by a rate and once by the rise of price? I use the case only for illustration; I lay no stress upon it; but I ask, if the debate on a Reform Bill ought to consist of a series of discussions on such subjects as this, and many others much more irritating still? I will ask one more question. If, when the Reform Bill of 1831 was introduced, its proposers had foretold—which they could not do, for they did not know it themselves—that in consequence of it we should abolish the corn laws—that we should abolish the navigation laws—that we should grant free trade to all foreign nations without reciprocity—that we should reduce the postage on inland letters to a penny—that we should renounce the exercise of any authority over our colonies—and various other things which have come to pass—do honourable gentlemen think that these announcements would have greatly inclined the Parliament of the time towards passing the bill?

Sir, all of us know well that we commit a thousand mistakes and hold a great

number of erroneous opinions: but we do not know which of our opinions these are, for if we did, they would not be our opinions. Therefore every reflecting man takes precautions beforehand against his own errors without waiting to have the particular instances pointed out, and if he is a conscientious man as well, if there are things which from the character of his mind or his habits of life he is in danger of not perceiving, he is glad that there should be others who will. Now this is all that I ask honourable gentlemen to concede in the present case. What is the reason why we are so often told that classes should be represented? I apprehend, it is because every class knows some things which are not so well known by other people, and ought to have the opportunity of stating them; and because every class has peculiar interests which require to be protected, and no protection is so effectual as its own. These may be called a priori doctrines, but so is the doctrine that a straight line is the shortest distance between two points: they are as much truths of common sense and common observation as that is, and every person of common sense acts upon them as confidently. Well then, I claim the benefit of these principles for the working classes. They require it more than any other class, for reasons which are obvious. The class of lawyers, for instance, or the class of merchants, are amply represented in this House, although there are no constituencies a majority of which consists of lawyers or of merchants; but it must be remembered that a successful lawyer or merchant easily gets into Parliament by his wealth and social position, and when there is just as good a representative of lawyers and merchants as if he had been elected on purpose; but no working man is ever likely to be returned to Parliament except by a constituency of working men—and not only no working man, but no man who looks at working men's questions with working men's eyes. Is there, I wonder, a single member of this House who knows and could explain to the satisfaction of working men, the working men's view of strikes, for instance? Are there many of us who so thoroughly understand the subject of apprenticeships, let us say, or of the hours of labour, as to have nothing to learn on the subject from intelligent operatives? I know that along with much valuable knowledge and many just ideas you would sometimes find pressed upon you erroneous opinions—mistaken notions of what is for the true interest of the working classes. And if those classes were preponderant in the House, attempts might possibly be made to carry some of those wrong notions into practice. But there is no question at present about making the working classes preponderant in the House: what is asked for them is such a measure of representation as shall ensure that their opinions may have a fair hearing, and may be met by fair arguments addressed to their own understanding, by persons who can enter into their manner of looking at questions and can adapt their arguments to it. This is never done now. When anything at all is said in this House on the questions which are near the hearts of the working men, all the doctrines which they require to be convinced of are taken for granted; or if any

reasons are given, they are such as never reach their minds. In general, when people attempt to correct the errors of working people they do it as if they were speaking to babies—any reason is thought good enough. They are so little aware of what is in the mind of a working man that their answers are always wide of the mark. They never touch his real difficulties and merely give him a contemptuous opinion of those who use them. Do not suppose that working men would always be unconvincible by such arguments as ought to convince them. It is not one of the faults of democracy to be obstinate in error. An Englishman who had lived some years in the United States recently expressed his opinion of the Americans by this observation: he said “they are the most teachable people on the face of the earth.” It is not indeed to be expected that an old country should be as teachable as a new one, in which old traditions, and fixed habits have less power; but I believe nevertheless, it will be found that the educated artisans, those at least who interest themselves in politics, are more teachable than any other class. There are several reasons why they should be so: for one thing, they are, as a rule, more in earnest than any other class; their opinions are more genuine, less influenced by hopes of personal advancement; and their social position is not such as to breed self-conceit. Above all, there is one thing to which I believe almost every one will testify who has had much to do with them and it is a point of which my own experience supplies very striking examples: there is no class which so well bears to be told of its faults, and to be told even in harsh terms, if they believe that the person who so speaks to them speaks what he thinks, and has no purpose of his own to promote by it. I can hardly conceive a nobler course of national education than the debates of this House will become, when the various notions, right and wrong, which are fermenting in the minds of the working classes, and many of which go down very deep into the principles of the social union, are fairly argued and genuinely discussed in this place. It has been remarked of all classes of persons with what comparative readiness they resign themselves even to the refusal of what they ask, when everything which they could have said for themselves has been said by somebody for them in the course of the discussion. The working classes have never had this tranquillizing assurance—they have always felt that they were judged without being listened to—and it is not in human nature to bear this without deep dissatisfaction.

If I may now be permitted to say, in general terms avoiding all topics that can give offence, in what respect I think the proceedings of this House would be practically improved by the presence in it of a body of persons representing the opinions and wishes of working men, I may refer honourable gentlemen to Tocqueville who is so favourite an authority in our political discussions when²

²The manuscript ends here.

III. Manuscript Draft of Women's Suffrage [1] (1869)

MS, Mill-Taylor Collection, Vol. XLI, full draft of No. 144.

THE FIRST THING which presents itself for us men who have joined this Society—a Society instituted by ladies to procure the protection of the suffrage for women—is to congratulate them on the success of this their first effort in political organisation. The admission of women to the suffrage is now a practical question. What was, not very long ago, a mere protest in behalf of abstract right, has grown into a definite practical aim, seriously pursued by many thousands of active adherents. No sooner did a few ladies of talent and influence, fostered in those principles of justice and believing in those elements of progress which are now renewing the life of every country in the world—no sooner, I say, did a few of these ladies give the signal that the time was come to claim for women a share in those blessings of freedom which are the passion and the glory of every noble nation—than there rallied round them unexpected thousands of women, eager to find expression for aspirations and wishes which we now learn that multitudes of our country women had long cherished in silence. The thousands who have signed the petitions for women's suffrage, year after year, are evidence that I do not exaggerate when I say this. For my own part, I have all my life held the opinion that women have the same right to the suffrage which men have; and it has been my good fortune to know many ladies much better fitted to exercise it than the majority of the men of my acquaintance. I may say too, to the credit of my own perspicacity, that I have long been of opinion that the disclaimers of all wish for political or any other equality with men, which until quite lately have been almost universal among women, were but a form of that graceful and amiable way of making a virtue of necessity, which always distinguishes women. Nevertheless, I must acknowledge, I did not expect the amount of sympathy, and of more than sympathy—of ardent and zealous support—which this movement has called forth among women and among men also of all opinions and parties. We have had a success, quite out of proportion to our apparent means, and which would be unaccountable were it not for certain potent allies that have been working for us.

The first of these precious auxiliaries is the sense of justice. When not stifled by custom or prejudice, the natural feeling of justice is on our side. We are fighting against privilege on one side, disabilities and disqualifications on the other. We are protesting against arbitrary preferences; against making favorites of some, and shutting the door against others. We are claiming equal chances, equal opportunities, equal means of self-protection, for both halves of mankind. That political suffrage which men are everywhere demanding for themselves as the sole means by which their other rights can be secured to them, we, for the same reason,

and in the name of the same principles, demand for women too. We therefore take our stand on natural justice; and to appeal to that, is to invoke a mighty power.

The other auxiliary which is working for us, with ever increasing strength, is the progress of the age; what may be called the modern spirit. All the tendencies which are the boast of the time; all those which are the characteristic features and animating principles of modern improvement—are on our side. There is, first, the growing ascendancy of moral force over physical; of social influences over brute strength; of the idea of right over the law of might. Then, there is the philanthropic spirit; that which seeks to raise the weak, the lowly, the oppressed. There is the democratic spirit; the disposition to extend political rights, and to consider any portion of the community as insufficiently cared for unless it has a voice in choosing those by whom the laws are made and administered. There is the free trade spirit; the desire to take off restrictions; to break down barriers; to set people free to make their own circumstances, instead of chaining them down by law or custom to circumstances made for them. Then there is the force of that which, to the shame of past history, I am obliged to call the new conception of human improvement and happiness; that they do not consist in being passively ministered to, but in active self-development. And over and above these specific practical forces at work in society, we have on our side one of the strongest and best modern characteristics—not pointing, as those do, to a particular course of outward action, but consisting in a general disposition of our own minds: the habit of estimating human beings by their intrinsic worth; by what they are, and by what they do; not by what they are born to, or by the place in which accident or the law has classed them. Those who are fully penetrated with this spirit, cannot help feeling rich and poor, women and men, to be equals before the State, as, from the time of the Christian era they have been proclaimed equal in the sight of God. And this feeling is giving us powerful aid in our attempt to convert that Christian ideal into a human reality.

To shew how unequivocally and emphatically the spirit of the age is on our side, we need only consider the various social improvements which are in course of being attempted, or which the age has fully made up its mind to attempt. There is not one of those improvements which would not help the enfranchisement of women; and there is not one of them which the enfranchisement of women would not help. There is not one of them which can be even tolerably realized unless women, with their moral and intellectual capabilities properly developed, are associated in the work. From the time when society takes upon itself the duties required of it by the present state of civilization, it cannot do without the intelligent cooperation of women: and the pedantic nonsense we now hear about the sphere of women will be felt to be merely ridiculous when pleaded as an excuse for excluding women from the minor matters of politics, when their assistance cannot be dispensed with in the most arduous.

Look at education, for instance: that is almost the one great cry of the day.

Statesmen, scholars, public writers, all join in it: great and small, rich and poor, Tories, Whigs, and Radicals, the higher, the middle, and the working classes with one voice declare that the country cannot do without a good system of national education—descending to the very bottom of society, and, allow me to add, ascending also to the top. The best people have been saying this for generations; but the political changes recently made, and the prospect we have of more, have made the necessity manifest to all. Now, then, we ask of rich and poor, Tories, Whigs and Radicals: Are you going to educate a nation without women? Let alone the equal right of women to a share in the benefit; I ask, can it be given to the rest of us without their active help? When once we set about really teaching the children of all classes of the community—it will not be like the merely nominal teaching they mostly now receive—we shall need a vastly greater number of schoolmasters than we can afford to pay if we reject the assistance of half, indeed of much more than half, the available strength. Women are the acknowledged best teachers of young children; and numbers of them are eager both as volunteers and as professionals, to put their hand to the work. The only hindrance to their being equally capable instructors of more advanced pupils, is that they cannot teach what they have not been allowed to learn. They will have to be taught all the more valuable branches of knowledge if only that they may teach them to others. In the country in which there is the widest diffusion of popular instruction, the Northern States of America, a large majority of the teachers are already women; and that, by no means exclusively in the elementary schools: and they are found to be particularly efficient teachers of male pupils. Is it likely, then, that when women find themselves, side by side with the men of the present, teaching and training the men of the future, they will believe in any right of their pupils to political superiority over them? Will they feel themselves less worthy of a vote, think you, or less entitled to it, than the men whom they themselves have taught how to use their votes? And I should like to see the face of the man, so taught, who would stand up and refuse it to them.

Let us turn next to the management of the poor: and by the poor, I mean the recipients of public relief; the pauper population. That formidable difficulty weighs on the spirits of all our thinkers, and of all conscientious public administrators: and the more they think, the more they seem overwhelmed with its arduousness. I venture to predict that this great national, and more than national, this human concern will never be successfully treated until women take their share, and perhaps the leading share in the management of it. A wide experience has taught to thoughtful men, that the only true principle of a poor law is to give relief (unless of a very temporary nature) to adults, nowhere but in public establishments—in workhouses, and, for those who need them, hospitals: and this method has been tried: but the workhouses and the workhouse hospitals have been so execrably managed; the pillage has been so profligate, and the unhappy inmates have been so brutally neglected and ill-used; that the system has broken down, and

public feeling shrinks from enforcing it. If this is ever remedied, it will be when pauper establishments are looked after by capable women. As mere visitors, it is to them we in great part owe the discovery of the enormities by which the public have been sickened, and which has escaped the watchfulness of men expressly selected for their fitness to be inspectors of poorhouses. The fittest person to manage a workhouse is the person who knows best how to manage a house. A woman who has learnt to govern her own servants, will know how to do the same thing with workhouse servants. Very few are the male guardians and inspectors sufficiently conversant with details, to be competent to check the dishonesty, to stimulate the zeal, and to overcome the indolence of all those concerned in administering to the wants of any large agglomeration of human beings. Every experienced traveller knows that there are few comfortable inns when there is no hostess. And the gigantic peculations of the commissariats of armies, joined to the dreadful sufferings of the wounded soldiers from the insufficiency of the medical and nursing staffs, all bear testimony to the fact that men do not possess the heaven-born faculty which they arrogate to themselves for doing well on a large scale what they disdain to serve an apprenticeship to doing on a small scale. If home is the natural sphere of women—and I am by no means called upon to contest the assertion—those branches of politics which require faculties that can only be learnt at home, are the natural sphere of women too. But there are great spheres, and little spheres: and some people want women to be always content with the little spheres. I don't.

In the same manner, in all that concerns the details of the public expenditure: what superintendence and control is comparable to that of an experienced mother of a family, who knows, or has learnt to find out, what things ought to cost, and whose daily business it has been to discover and check malversation and waste in every department of a large household? Few men have had much of this kind of practice; multitudes of women have had it. If we are to meet the demand of the age for a government at once cheap and efficient, which shall cost little, but shall give us all that we ought to have for the money, the most vigilant and capable agents for making the money go as far as it can, would generally be found among women.

One important public function, at least, has devolved on women from the commencement: the nursing of the sick is a privilege which men have seldom denied to women. The nursing of the sick in most public establishments is from the necessity of the case, mainly performed by women: and it is now understood, that they ought to be educated women. No ignorant person can be a good nurse: a nurse requires to know enough of the laws of health and the treatment of disease, to be at least able to observe sanitary rules, and to understand the meaning of symptoms: and much more than this will be required when the prevention and cure of disease become a branch of public administration; a result towards which things are rapidly tending. There are many difficulties in dealing with the poor: many hindrances, both moral and economical, to doing for them all that most of us would

wish to do. One thing, however, the nation appears to have fully made up its mind that it will not grudge them: and that is, the use of their health. In this one respect it is felt that the poor law instead of doing too much, does not do nearly enough: the medical staff of our Unions is wretchedly underpaid, and nothing near so numerous as it ought to be. And how is it to be made efficient; how are the localities to afford the expense of providing a sufficient number of persons with the requisite qualifications—if we persist in shutting the door upon those women who are claiming from us medical education in order that they may be fit for such duties as these? Until the medical profession is opened to women there never will be an adequate supply of educated medical practitioners for any but the rich. And, independently of regular practitioners, there are numbers of women who from their domestic occupations, cannot give their whole time, but who would willingly give part of it, either as volunteers or at a small remuneration, for work which would be too costly if paid for at the value of the time of a medical man in good private practice. But when women are entrusted with functions like these, and educated for them, will they be content to be excluded from the common privileges of citizenship? and how long will it be possible to exclude them?

Society is feeling every day more and more, that the services of women are needed for other uses than “to suckle fools and chronicle small beer.” Many are now saying that they ought to be better educated, in order that they may be able to educate men: and truly, if they are to educate men, the education of a well educated man cannot well be denied to them. But these very moderate reformers are falling into the same mistake about women, which was committed about the working classes. People were willing to educate the working men, but expected them, after being educated, to be content with the same treatment which they met with before. They would be quite happy, it was thought, when their improved faculties qualified them to be more useful servants, and would never think of claiming their share of mastership, nor a voice in the choosing of masters. It has not so turned out with the working classes; nor will it so turn out with women. Those who are fit to train men for their work, will think themselves fit to take a share in the work, or, at the lowest, in choosing those who are to direct it. The higher education of women, and their political emancipation, are sure to go forward together.

We are safe, then, in affirming that our cause has a powerful backing; since it has for its allies the great forces which are at work everywhere striving to improve the world. Our success would greatly strengthen all those forces: and they, by their increasing strength, tend to accelerate our success: illustrating the truth, that improvements aid one another; that all good causes are allied; that whoever helps forward one great public object proves in the end to have promoted many more. In the full assurance that it will be so with us, our business is to go on doing what, as a Society, we have hitherto done; to strive for the suffrage, and for the suffrage only. The suffrage, while it is the road to other progress, commits no one as to what other

things progress consists in. Let us gain that, and whatever is desirable for women will ultimately follow, without its being necessary at present to define, or even possibly to foresee, all that is desirable. The mere fact of claiming the suffrage has given an impulse such as had never been given before, to all proposals for doing away with any injustice to women. Since the suffrage has been claimed, a bill for allowing married women to be the owners of their own property, which had been laid on the shelf for ten years with other uninteresting trifles, has been reintroduced into Parliament with a good prospect of success: and the movement for the higher education of women is spreading in all directions, with a considerable diversity of means insomuch that women have now a chance of obtaining a really good education almost as soon as men. We of this Society shall best promote these important movements by taking no part in them as a Society, whatever any of us may think it ought to do as individuals; but pressing forward with all our strength what virtually includes them all, the suffrage. With that, we shall in time obtain what is needed, whatever that may be; but until the suffrage is obtained, we have gained nothing which may not be resumed any day at the caprice of our rulers. In these times, the great practical distinction—the line of demarcation between those who can protect themselves and those who are at the mercy of others—is the political franchise: all who have rights to protect now look to that as the only effectual means for their protection. Even in America it was found that to abolish Slavery was not enough: the negroes were not really free until they had the suffrage: representative assemblies in the election of which they had no voice, inflicted or tolerated treatment which would speedily have brought them back to a servitude almost worse than their previous state. In a political age, such as this is, women will never be of equal account with men, will never be felt to be entitled to equal consideration, so long as men have votes and women have not. The wider extension of the suffrage to others, so long as women are excluded from it, is a positive injury to them, for it is rapidly making them the only excluded class—the only people whom the law does not deem worthy of a voice in choosing their rulers, or whom it does not sufficiently care for to extend to them that protection. The suffrage is the turning point of women's cause; that alone would ensure them an equal hearing and fair play. With it they cannot long be refused any just right, or excluded from any fair advantage: without it, their interests and feelings will always be a minor consideration, and it will be thought of little consequence how much their sphere is circumscribed, or how many modes of using their faculties are denied to them. Let us, then, continue to concentrate all our efforts on the suffrage; inviting all who wish for the higher education of women, all who desire justice to them, in the matter of property and earnings, all who wish for their admission to professions and careers now closed to them, to aid us in our enterprise as the surest means of accelerating the particular improvement in which they feel a special interest.

IV. Manuscript Draft of The Education Bill [1]
(1870)

MS, Houghton Library, Harvard University, Autograph file A.MS.*49M-85, full draft of No. 145.

THE RESOLUTION WHICH HAS BEEN MOVED, relates to a defect which as the Bill was originally framed, was its greatest blot: and even after the large concessions—for they are large concessions—which we may now consider to have been made by the Government, enough of evil is left to call for a strong protest. Though there are many things in the Bill which we wish altered, its other defects are of the nature of shortcomings: what is done we approve, but we wish it were done more thoroughly: the difference between what the Bill gives, and what we desire, is the difference between good and better: but on the point now before us, it is the difference between good and bad. The Bill does not simply halt and hang back in the path of good: it does positive evil; it introduces a new religious inequality. And even the promised attenuations leave a great part of the evil untouched, for they leave the whole of its principle. Teachers are still to be employed and paid by the whole community to teach the religion of a part. True, this is now to be done out of school hours; and I would by no means depreciate the value of this concession. I should be glad to forget as soon as possible what the Bill would have been without it. Though brought in by a government which has gained such high distinction as the destroyer of religious inequality in Ireland, a more effectual scheme could scarcely have been devised by the greatest champion of ecclesiastical ascendancy for enabling the clergy of the Church of England to educate the children of the greater part of England and Wales in their own religion at the expense of the public. Hitherto instruction has only been given to those who asked for it, but we are now going (at least we hope so) to teach every child: and the Bill gave up to the local bodies, which in the rural districts means the squire and the parson, all the neglected children—the children of all who care little about religion, of all who are dependent, all who are under obligations for charitable offices, all who are too timid to risk displeasing their superiors by sending in a solemn refusal in writing to do what they are wanted to do and because the Non Conformists would not stand this, they were told—though, I will do the Government the justice to say, not by them—that their motive could not be religious or political principle but could only be unworthy sectarian jealousy. By the promised concessions this blot is in great part—I wish I could even now say entirely—taken out of the Bill. But the principle remains of teaching the religion of a part with funds levied by taxation from the whole; and a measure infected by this bad principle cannot give satisfaction to any persons but of the dominant creed, nor to impartial persons of any creed.

We may be told, indeed, that Dissenters may teach their own doctrines if they please, and in the School buildings too. They may, if after deducting the school hours and the extra hours for church teaching, sufficient time remains. But they must pay the whole expense and their share of the cost of the Church teaching besides. We are told, again, that in places where the Dissenters are the strongest, it will be they and not the church that are enabled to teach their own doctrines at other people's expense; as if an injustice in one place could be cured by an injustice in another. But this permission to tyrannize in their turn wherever they are strong enough, the Dissenters are so extremely unreasonable as not to value. It is well known that they do not desire their distinctive doctrines to be taught in schools, indeed there are few places probably where any single denomination is sufficiently numerous to make this practicable. The system deliberately chosen by the Dissenters is that of the British schools, where religious teaching is limited to reading the Bible without note or comment. Besides, we all know that the practical strength of the Dissenters is in the large towns, and districts similar to towns: if they happen to be in a majority anywhere else, we see by the example of Wales how little it avails them. But in the large towns, even where the Dissenters are the strongest, the Church party is sure to be strong enough to reduce them to a compromise, and make the Boards either subsidize existing Church schools, or if they use the power given them by the Bill of founding others, to found a Church school by the side of every unsectarian one. So that the church party will not probably, in a single instance, be in that position of victims, which it is supposed ought to be such a consolation to the Dissenters for being victims in three fourths of the Kingdom.

Another thing we are told: that what we complain of as a new grievance, exists already: by the national grants in aid to denominational schools, we are all of us taxed for teaching religions not our own. Well: there are some of us perhaps who might have a good deal to say against this too, as a permanent institution, and who live in hope of its ultimate absorption into something of which they can more thoroughly approve. But we are not going now to begin this system: it exists: When it was first established nothing better could have been obtained: and it still does good, though we may learn, if we do not know it, from Mr. Mundella's speech, how sadly the result falls short of the claims made for it. But we do not desire to destroy what we have got until we have replaced it by something better. The worst point in the system, the bigotted refusal of grants in aid to secular schools, is to be abandoned: and the Bill provides that if the Boards, instead of providing new schools, elect to subsidize the old, they shall subsidize all denominations impartially—secular schools, I hope, included. For this the framers of the Bill deserve our cordial thanks; but it is puzzling to find such opposite principles acted on in two different parts of the same Bill, and such different measures meted out to the old schools and the new. It looks like a compromise between two parties in the

Government, on the plan of giving something to each: the sort of thing, in short, which makes our legislation the jumble of inconsistencies that it is.

Some have the face to tell us that the ratepayer after all is not taxed for the religious instruction: the rate is so limited by the Bill that he will really pay only for the secular teaching. Indeed! then who does pay for the religious teaching? Do the Church party mean to raise the money by a voluntary subscription? *The Times*, of Monday, throws out such a suggestion: if one could hope that it would be adopted, I should not have another word to say; except that since, after Mr. Gladstone's concessions, the religious is no longer to be mixed up with the secular teaching, it may as well be given by a different person altogether, when the impartiality would be complete. But if the expense is not defrayed by subscription, it must be paid by the Privy Council, that is to say by the tax payer: and do not Dissenters pay taxes? Is there any conscience clause against the tax gatherer?

There is one more thing said which might well amaze any one but those who are past being astonished at any of the tricks which can be played with words. We are told that in our care for the conscience of the minority we violate that of the majority, who conscientiously disapprove of schools in which religion is not taught. Now, if what their conscience objects to is sending their own children to such schools, there is no compulsion; they can found schools of their own. It is necessary to say this; for the principal speakers in support of the Bill do not seem to be aware of it; they appear never to have heard of such an idea; they accuse us of expelling religion from the schools, "as if there were no schools to be had but those paid for from the rates;"^a as if we were attempting to propose to prohibit all schools except secular ones, or to throw some great obstacle in their way: while all we demand is, that those who make use of the religious teaching should pay for it themselves instead of taxing others to do it. So that the conscientious scruple which we are accused of violating, is not a scruple against going without the religious instruction but against paying for it, and their conscience requires them to get it paid for by other people. Is not *this* a curious spectacle of the richest and most powerful part of the nation, who with two thirds of their expenses sure to be paid by the Privy Council and the School rate, cannot bear to do what the smallest denomination of Dissenters cheerfully does: pay their own religious teachers? But is not this exactly *because* they are the rich and powerful? It is not the poor and the weak who dream of throwing their personal pecuniary obligations upon the public. It is a privilege only desired by those who do not need it but who think it their right, because they have always had the power of exacting it.

It appears however some of these people have a conscience so extremely delicate that it is wounded not if their own children, but if any other people's children attend a school in which religion is not taught. The very existence of a secular school within the country at least with aid from the State is a burden on their

^a—^a[marked for insertion from f. 3v]

consciences as the very existence of heretics was on the conscience of the Grand Inquisitor. And we, because we decline to defer to this remarkable conscientious scruple, disregard the rights of conscience. But the rights of conscience do not extend to imposing one's conscience as a rule upon other people. I dare say we should be told, if it was any one's interest to do it, that we are no lovers of liberty because we will not allow a king to take the liberty of hanging or guillotining people at his pleasure. But the liberty we stand up for is the equal liberty of all, not the greatest possible liberty of one and slavery of all the rest. There ought to be room in the world for more than one man's liberty; and there ought to be room in the world for more than one conscience. Let all parties have what religious teaching their conscience approves and they are willing to pay for. But when a man tells me his conscience requires that other people shall have religious teaching whether they like it or not, and shall have it in schools though they would prefer to have it elsewhere, and that they shall not be helped like other people in their secular teaching unless they consent to take religious teaching along with it, I tell him that he is not asserting his own freedom of conscience, but trampling on that of other people. If this is a right of conscience, it was prejudice and bigotry to complain of the persecutions of the Vaudois or of the Protestants. The case is less flagrant, but the principle is the same.

Appendix E

Missing Speeches

Mill seems to have attended few public meetings at which he did not speak. On only two occasions is it known that he made some remarks of which no report has been discovered.

1. 9 July, 1870. The Land Tenure Reform Association met at the Freemason's Tavern. Reports appeared in *The Times*, 12 July, p. 12, and in *The Bee-Hive*, 16 July, p. 342, the latter saying that Mill made "a short address" from the chair.

2. 6 August, 1870. The Representative Reform Association met in their offices, 9 Buckingham Street, Strand. The reports of 8 August in *The Times*, p. 10, and the *Pall Mall Gazette*, p. 6, say that following the paper read by the chairman, Thomas Hare, on the progress of proportional voting in various counties, Mill was among those who took part in the discussion.

Appendix F

War and Peace, by Helen Taylor
(1871)

MS fragment, Houghton Library, Harvard University, Autograph file A.MS *49M-85; no full version is known, nor is the occasion for which it was prepared. In Mill's hand; on 2r is written in Helen Taylor's hand, "H T. Feby 1871."

THE CONTEMPLATION of all the brutal horrors of war, as well as of the extremely unsatisfactory way in which after all it settles disputes, irresistibly arouses the question why the disputes of civilised nations cannot be settled as those of private individuals are settled. The first reply to this is unfortunately only too plain: and the difficulty of obtaining any impartial judge or jury in international disputes has hitherto been an insuperable bar to their pacific settlement. A second reply, less obvious, but hitherto of not less practical weight, is the difficulty of finding any one willing to put themselves in the position of the tax payer who provides the policeman and the prison for the individual evil doer. No nation will put itself forward to incur the expense and the danger of war, without the prospect of gaining something by it for itself. And there exists a party of no inconsiderable weight in this country that even lays it down as an axiom that we ought never to go to war but for our own interests. If this axiom is right, there is either no parity at all between individuals and nations, or else those who hold it right to carry out their principles by refusing to appropriate any part of the national revenues to the public administration of justice between one citizen and another: for what business have we to pay a policeman to interfere in any case where he himself is not personally concerned?

But in fact I believe that on examining the question we shall find that there is not really any parity between the administration of justice at least in the form in which it exists in a great measure in the most highly civilised nations, and which it is constantly tending to assume in the hands of the greatest thinkers and best law reformers and any of those ideas of international arbitration which present themselves spontaneously to the mind when we ask why the disputes of nations cannot be settled by some such means as those which settle the disputes between individuals. I believe that if ever the disputes between nations are so settled, it will be by taking as our model, not courts of arbitration, but courts of law; not courts of law as they existed in the early stages of human society, but as they exist in their

most perfect forms: and that the narrow and technical view of his duties held by the modern English common law judge will be found the most effectual by whoever should attempt to avert the bloody consequences of international quarrels.

To shew this clearly one must go back to the consideration not so much of the fundamental causes which lead to war (for I believe that dwelling too much upon these has led us into a wrong track in seeking to avoid war altogether) but of the fundamental causes which lead to our abhorrence of war.¹

Perhaps it is in the ambiguity of the word Peace that we ought really to seek for the explanation of the long persistence of war, as a phenomenon among civilised nations. As long as we have but a confused knowledge of what we desire, our success in obtaining it will depend not so much upon the ardour with which we desire it, as upon the ardour and the frequency of those desires which conflict with it. When man does not act with his reason, he is a prey to instincts, and passions which are little removed from instincts. The first step towards working with our reason towards the attainment of any desirable aim, is to define clearly what it is that is desired: the second, which portion of what we desire can most readily be attained.

Now it is precisely this first step which does not appear to me to have been ever systematically attempted for the attainment of Peace. I define our object as the attainment of Peace, rather than the avoidance of war, because I take it that the word peace is really, in all languages and in the human mind, the correlative of war, and the attainment of peace means the avoidance of that pain on account of which war is hateful. But what I have to say will apply equally well whether we take it in a negative or in a positive form: whether we consider it as our object to avoid war or to obtain peace.

What, then, are the delights of peace, which make the word so sweet in all its associations? I think we shall find that the idea is a peculiarly complex one. We associate with it all the pleasures of concord and harmony, benevolent emotions, sympathy with our fellow creatures, facility of intercourse and consequently all the enjoyments that arise from commerce. Besides these ideas, we are apt to associate with the idea of peace things that more properly belong to the domain of liberty; the undisturbed possession of wealth, freedom of expansion of our energies etc., in all directions, personal safety for ourselves and those who are dear to us, and security from insult. One reason why the world has not hitherto abhorred war, and valued peace as much as we are now beginning to think they deserve, is one which we are very apt to lose sight of: namely, that it is only quite of late that any nations have really possessed these blessings of liberty. For a man's abhorrence of war and love of peace are naturally not so intense when in a state of peace he undergoes at the hands of his political masters all the most serious sufferings of a state of war. The

¹Here Helen Taylor has written "See A"; the next folio is headed "A" (and that insertion, running for two sides, completes the manuscript).

enjoyment of security of life, honour, and property, freedom of intercourse, liberty of commerce, and various kindred advantages of free and civilised society, are therefore essential antecedents to that horror of war among all classes of the community which is beginning to be a characteristic feature of modern times; and when we consider this, we shall see less cause to be surprised that greater progress has not yet been made towards getting rid of war itself. The same considerations will apply, although in a less marked degree, to the physical sufferings and the great mortality among those actually engaged in war. The progress of civilisation and of the medical art undoubtedly diminishes the amount of physical suffering with which men are familiar. With every improvement, therefore, in these things, war becomes more exceptional, and stands out more strikingly from the general course of human life as a cause of agony and death. As plague, pestilence, and famine cease to be conspicuous among us, war stands out with ever increasing distinctness as a cause of human suffering, and the main agent in violent and premature death.

Appendix G

Textual Emendations

IN THIS LIST, following the page and line numbers, the reading of the copy-text is given first, and then the amended reading in square brackets, with an explanation if required. If there is no explanation, it may be assumed that there is an obvious typographical error, or else that the change is made for sense or for consistency within the item. For a description of changes not here listed, see lxxi above. Typographical errors in versions other than the copy-text are ignored.

- 6.12 of a [of such a] [*as in C*]
- 6.35 peeeple [people]
- 7.18 100 [100,] [*as in C*]
- 7.20 persons [societies] [*as in C*]
- 7.31 distrustworthy [untrustworthy] [*as in C*]
- 9.12 to make [should make] [*as in C*]
- 11.8 carry [curry]
- 14.14 Wesminster [Westminster]
- 23.7 to [for] [*as in all other versions*]
- 24.15 subservience [subserviency] [*as in manuscript*]
- 26.6 party, [party] [*as in manuscript*]
- 29.26 I [it] [*as in DT and for sense*]
- 33.4-5 to that [from that] [*as in MS*]
- 33.30 watching after [watching over] [*as in MS*]
- 40.12 Mills [Mill]
- 48.7 other hand [one hand] [*as in TT*]
- 56.23 think. I [I think.]
- 58.10 few [free] [*as in MS, DN*]
- 62.4 consequences they [consequences—they] [*as in PD*]
- 62.27 classes, in [classes; on] [*altered in SC*]
- 63.38 this or [this and] [*altered in SC; as in PD*]
- 65.20 and most [and much] [*altered in SC; as in PD*]
- 67.1 interests [interest] [*altered in SC; as in PD*]
- 68.5 good and is honest [good and honest] [*altered in SC; PD reads good, honest*]
- 68.11 --unless I am mistaken. And (it [.-Unless I am mistaken, (and it] [*altered in SC*]

- 71.10 It fact [In fact]
 89.6 let [lest] [*as in DT,MS*]
 94.29 Hislop [Heslop] [*in fact*]
 94.29 Lake [Luke] [*in fact*]
 98.12 hopefulnss, [hopefulness] [*as in DN, MP*]
 112.1 required [requires] [*as in PD*]
 118.17 was utterly [utterly]
 132.6 ta [to]
 132.30 all in [in all]
 133.32 trade's [trades'] [*as in pamphlet*]
 133.35 trades [trades'] [*as in pamphlet*]
 156.35 sedulusly [sedulously]
 163.27-8 circumstance [circumstances]
 169.2 householder [householder's] [*as in DT*]
 173.12 common [the common] [*as in DT*]
 173.21 hear [bear] [*as in DT,MS,S*]
 192.11 inconsistent. [inconsistent-]
 196.11 and [or]
 198.11 composed. [composed?]
 198.15 Why [Why,]
 199.3 Why [Why,]
 199.33 beloved [believed]
 200.1 magistrates. [magistrates?]
 201.1 and the honourable gentleman mentioned [such as] [*to maintain direct reporting*]
 206.6 only applied if [only if] [*to fit main text*]
 206.13 Mr. J.S. Mill [He] [*to fit main text*]
 206.13 recognised [recognized] [*as in main text*]
 210.14 representation [representation]
 211.8 case, [case.]
 211.11 gentlemen [Gentlemen] [*as in main text*]
 211.25 lead [led]
 214.26 appportunity [opportunity]
 215.9 regrettable [regrettable]
 216.27 constitutional [constitutional]
 216.30 will [will]
 217.25 before-hand [beforehand] [*as in SSC*]
 219.19 Most [most] [*to conform to main text*]
 222.2 done its [done in its] [*as in PD*]
 223.5 natural [national] [*as in PD*]
 224.4 are [were] [*as in PD*]
 224.7 flag [flags] [*as in PD*]
 226.11 it [we] [*as in PD*]
 226.29 professing [profess] [*as in PD*]
 231.5 aldermen, [aldermen]
 238.21 and the Artisans' [and another was the Artisans'] [*to fit main text*]
 240.20 Although [Although]
 240.29 pain [plan]
 242.8 laughter [laughter.]
 252.3 and of our having been very slow [and very slow] [*to fit main text*]

- 259.4-5 their favour [its favour]
 260.6 sublet [sub-let] [*as in main text*]
 260.9 subletting [sub-letting] [*as in main text*]
 262.15 at at [at]
 263.22 enquiry [inquiry] [*as elsewhere in speech*]
 265.14 provision, [provision] [*for sense*]
 273.27 community; [community,] [*to fit main text*]
 274.27 them. [them was] [*to fit main text*]
 283.12 value. [value?] [*as in TT*]
 287.15 poison [poison]
 288.18 Bil [Bill]
 300.13 Gentlemen [Gentleman]
 307.22 Gentleman [Gentlemen]
 308.36 started [stated]
 309.42 therefore [therefore,]
 313.n3 even [Even] [*to fit main text*]
 316.19 Gentlemen [Gentleman]
 319.3 eight [eighteen] [*in fact*]
 319.25 Parliamentary elections [Parliamentary Elections] [*as elsewhere in speech*]
 323.24 there s [there is]
 323.39 that [that,] [*as in DT*]
 324.17 Poor law [poor law] [*as in MS*]
 330.8 tribunal [tribunal,] [*as in DN*]
 330.17 effort . . . honourably [effort, . . . honourably,] [*as in DN*]
 330.22 property, [property;] [*as in DN*]
 330.29 who [who,] [*as in DN*]
 330.31 jurisdiction [jurisdiction,] [*as in DN*]
 330.37 session, [session-] [*as in DN*]
 331.3 Schreiber's [Schreiber] [*as in DN*]
 331.5 party- [party,] [*as in DN*]
 331.8 end- [end;] [*as in DN*]
 331.24 better Bishops [the better Bishops]
 336.35 advantages [advantage]
 339.11 daresay [dare say]
 340.23 partial [partially]
 342.34 bread." [bread.]
 345.16 will [would]
 352.28 Brighthon [Brighton]
 353.41 charities. [charities?]
 357.22 and [which]
 358.1 law; also as [law also; as] [*in italics in this ed.*]
 362.6 tories [Tories] [*as in DT*]
 362.22 tories [Tories] [*as in DT*]
 366.23 wated [wanted]
 368.13 anything [nothing]
 372.8 Arles Defour [Arlès-Dufour]
 372.10 State [city]
 372.15 states [States]
 372.22-3 discussions [discussion] [*as in MS,DT,TT*]

- 372.26 is [are]
 382.4 evil for [evil, for] [*as in manuscript*]
 383.4 strongest [strongest,] [*as in manuscript*]
 383.5 peoples' [people's] [*as in manuscript*]
 383.17 compromise [compromise,] [*as in manuscript*]
 383.20 probably [probably,] [*as in manuscript*]
 383.22-3 [*no paragraph*] [*paragraph*] [*as in manuscript*]
 383.27 something [something of] [*as in manuscript*]
 384.7 measure [measures] [*as in manuscript*]
 384.9 each; [each:] [*as in manuscript*]
 384.9 thing in short [thing, in short,] [*as in manuscript*]
 384.17 concessions [concessions,] [*as in manuscript*]
 384.27 compulsion, [compulsion;] [*as in manuscript*]
 384.30 schools [schools,] [*as in manuscript*]
 385.18 daresay [dare say] [*as in manuscript*]
 397.11 session [session]
 399.9 mind [minds]
 400.11 States. [States?]
 400.29 also, [also]
 414.15 in, [in;] [*as in TT, DN*]
 414.21 extensive [expensive] [*as in TT, DN*]
 417.3 beer. [beer!] [*as in DT*]
 421.4 2,000 [2,000!] [*as in TT*]
 421.5 30,000. [30,000!] [*as in TT*]
 428.24 passions [passion] [*as in DN, DT*]
 438.6 made which has been [which has been made] [*for sense*]
 438.22 Buccleugh [Bucclench] [*as elsewhere*]
 438.25 Buccleugh [Bucclench]
 438.26 Buccleugh [Bucclench]
 446.6 licenseing [licensing]
 446.27 1860 [1861]
 447.1 roport [report]
 448.15 interest [interests]
 448.29 1860 [1861]
 451.30 powers [powers;]
 455.2 1860 [1861]
 457.15 comprehend [comprehends]
 463.40 poor-law [Poor-Law] [*for consistency*]
 465.8 district [districts]
 466.6 Jeffrey's [Jeffreys']
 475.33 not to do so [not do so]
 480.3 that it there [that there]
 481.16 Rigsdag [Rigsraad] [*as in fact*]
 481.16 Rigsdag [Rigsraad]
 489.37 one half [one-half] [*for consistency*]
 490.10 numerous to be in [numerous in]
 491.35 ot [to]
 492.25 a year [a-year] [*for consistency*]
 495.39 meets [meet]
 498.33 vestryman? There [vestryman?—There] [*as elsewhere*]

- 503.19 municipal action [*municipal election*]
 504.26 them, [them;]
 507.13 guardians [*guardians.*]
 514.13 up, [up]
 516.3–4 they . . . men, receiving [there . . . men receiving]
 519.6 same; [*same*”];
 520.40 organization [organization,]
 522.1 a year [*a-year*]
 523.12 a year [*a-year*]
 525.9 chairman [chairmen]
 526.18 States [State] [*for sense*]
 526.30 vote [*veto*]
 527.17 emigration [*immigraton*] [*for sense*]
 533.9 Louis Phillippe [Louis Philippe]
 533.19 Louis Phillippe [Louis Philippe]
 537.1 Boards [Board]
 543.25 treaty [Treaty] [*for consistency*]
 544.5 of of [of]
 544.8 1866 [1865] [*as in fact*]
 546.10 and has [has]
 551.13 antérieur [*antérieur*]
 555.16 condemn who [condemn those who]
 571.14 not not [not]
 599.21 Reformers; [Reformers,] [*incomplete revision*]
 601.22 reason why [reason] [*incomplete revision*]
 602.17 lawyers— [lawyers,] [*for sense*]
 602.39 When that [When] [*incomplete revision*]
 603.1 reason are [reasons are] [*incomplete revision*]
 610.26 least as [least] [*incomplete revision*]

Appendix H

Index of Persons, and Works Cited, with Variants and Notes

LIKE MOST NINETEENTH-CENTURY AUTHORS, Mill is cavalier in his approach to sources, sometimes identifying them with insufficient care, and occasionally quoting them inaccurately. This Appendix is intended to help correct these deficiencies, and to serve as an index of names and titles (which are consequently omitted in the Index proper). Included here also are (at the end of the appendix and listed alphabetically by country) references to parliamentary documents and to statute laws. The material otherwise is arranged in alphabetical order, with an entry for each person or work quoted or referred to in the text proper and in Appendices B-D and F (the page numbers in the appendices are given in *italic type*). Speeches, Questions, and Motions are listed in chronological order in the speaker's entry. Anonymous articles in newspapers are entered in order of date under the title of the particular newspaper. References to mythical and fictional characters are excluded. The following abbreviations indicate our sources for biographical information: *ADB* (*Allgemeine deutsche Biographie*), *BP* (*Burke's Peerage and Baronetage*), *BU* (*Biographie universelle*), *DAB* (*Dictionary of American Biography*), *DBF* (*Dictionnaire de biographie française*), *DNB* (*Dictionary of National Biography*), *DPF* (*Dictionnaire des parlementaires français*), *EB* (*Encyclopaedia Britannica*, 11th ed.), *GDU* (Larousse, *Grand dictionnaire universel du XIXe siècle*), *GE* (*Grande encyclopédie*), *MEB* (Boase, *Modern English Biography*), *PD* (*Parliamentary Debates*), *PP* (*Parliamentary Papers*), *SC* (JSM's library, Somerville College, Oxford), *WWBMP* (*Who's Who of British Members of Parliament*), *WWG* (*Who Was Who in the Greek World*), *WWR* (*Who Was Who in the Roman World*).

The entries take the following form:

1. Identification of persons: birth and death dates are followed by a biographical source; if no source is indicated, available details are given in a note.
2. Identification of works: author, title, etc. in the usual bibliographic form.
3. Notes (if required) giving information about JSM's use of the source, indication if the work is in his library, Somerville College, Oxford, and any other relevant information.
4. Lists of the pages where works are quoted and referred to, and people questioned before Parliamentary Committees.

5. In the case of quotations, a list of substantive variants between Mill's text and his source, in this form: Page and line reference to the present text. Reading in the present text] Reading in the source (page reference in the source).

The list of substantive variants also attempts to place quoted passages in their contexts by giving the beginnings and endings of sentences. The original wording is supplied where Mill has omitted two sentences or less; only the length of other omissions is given. There being uncertainty about the actual Classical texts used by Mill, the Loeb editions are usually cited.

ACLAND, THOMAS DYKE (1809-98; *DNB*). Speech on the Elective Franchise Bill (30 May, 1866; Commons), *PD*, 3rd ser., Vol. 183, cols. 1542-3.

REFERRED TO: 84

———— Speech on the Public Schools Bill (23 June, 1868; Commons), *PD*, 3rd ser., Vol. 192, cols. 1929-30.

REFERRED TO: 298

ADCOCK, HERBERT BURROUGHS.

NOTE: Lieutenant of 2nd Battalion of 6th Regiment of Foot, A.D.C., Assistant Commissary General to the troops.

REFERRED TO: 94

ADDERLEY, CHARLES BOWYER (1814-1905; *DNB*). Referred to: 110, 123-4

———— Speech on the Elective Franchise Bill (30 May, 1866; Commons), *PD*, 3rd ser., Vol. 183, cols. 1526-30.

REFERRED TO: 84

———— Speech on the Disturbances in Jamaica (31 July, 1866; Commons), *PD*, 3rd ser., Vol. 184, cols. 1785-97.

REFERRED TO: 106, 110, 123-4

———— Speech on the Representation of the People Bill (5 July, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 1082-5.

REFERRED TO: 208-9

———— Speech on the Elementary Education Bill (18 Mar., 1870; Commons), *PD*, 3rd ser., Vol. 200, cols. 227-36.

REFERRED TO: 383, 384

ADDISON, JOSEPH (1672-1719; *DNB*). *The Spectator*, No. 583 (20 Aug., 1714).

QUOTED: 72

72.22-3 "Why should we sacrifice anything for posterity; what has posterity done for us?" Most People are of the Humour of an old Fellow of a Colledge, who when he was pressed by the Society to come into something that might redound to the good of their Successors, grew very peevish. *We are always doing*, says he, *something for Posterity, but I would fain see Posterity do something for us.* (2)

Address of the Land and Labour League to the Working Men and Women of Great Britain and Ireland. London: printed Higginbottom, [1869].

REFERRED TO: 418-19

ALLEN, WILLIAM PHILIP (1848-67).

NOTE: a Fenian hanged for his part in the Manchester rescue.

REFERRED TO: 555

AMBERLEY, VISCOUNT. See John Russell, the younger.

ANDERSON, ELIZABETH (née Garrett) (1836-1917; *DNB*). Referred to: 159

ANDERSON, JOHN.

NOTE: flogged by Adcock, *q.v.*

REFERRED TO: 94

ANDERSON, JOHN.

NOTE: a runaway slave whose extradition was demanded by the United States.

REFERRED TO: 543

ANSON, AUGUSTUS HENRY ARCHIBALD (1835-77; *WWBMP*). Motion on Ireland—Petition on Fenianism (14 June, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 1886-90.

REFERRED TO: 188, 189

ARGYLL, DUKE OF. See George Campbell.

ARLÈS-DUFOUR, FRANÇOIS BARTHÉLEMY (1797-1872; *DBF*). Referred to: 372

ARNOTT, NEIL (1788-1874; *DNB*). Referred to: *c.i.*2396

Athenaeum. Review of *The Coal Question*, 27 May, 1865, 714-15.

REFERRED TO: 71

AVONMORE, BARRY (Viscount Yelverton) (1736-1805; *DNB*). Referred to: 111

AYRTON, ACTON SMEE (1816-86; *DNB*). Referred to: 230

——— Speech on the Cattle Diseases Bill (16 Feb., 1866; Commons), *PD*, 3rd ser., Vol. 181, cols. 608-9.

REFERRED TO: 50, 51

——— Speech on the Representation of the People Bill (17 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 727-9.

REFERRED TO: 150

——— Motion on the Representation of the People Bill (27 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, col. 1183.

REFERRED TO: 175-6

——— Motion on the Representation of the People Bill (27 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, col. 1186.

REFERRED TO: 176

——— Speech on the Representation of the People Bill (27 June, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 633-4.

REFERRED TO: 195

——— Speech on the East India Revenue Accounts (12 Aug., 1867; Commons), *PD*, 3rd ser., Vol. 189, cols. 1340-55.

REFERRED TO: 234

——— Motion on Proceedings in the Committee of Supply (21 Apr., 1868; Commons), *PD*, 3rd ser., Vol. 191, cols. 1025-9.

REFERRED TO: 266

——— Speech on the Government of India Act Amendment Bill (15 June, 1868; Commons), *PD*, 3rd ser., Vol. 192, col. 1598.

REFERRED TO: 288

——— Speech on the Government of India Act Amendment Bill (8 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, col. 859.

REFERRED TO: 305

——— Motion on the Election Petitions and Corrupt Practices at Elections Bill (22 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, cols. 1644-5.

REFERRED TO: 318

AYTOUN, ROGER SINCLAIR (b. 1823; *WWBMP*). Motion on the Established Church, Ireland (7 May, 1868; Commons), *PD*, 3rd ser., Vol. 191, cols. 1902-5.

REFERRED TO: 277

BACON, FRANCIS (1561-1626; *DNB*). Referred to: 73

BANCROFT, GEORGE (1800-91; *EB*). Referred to: 33

BARRETT, MICHAEL (1841-69).

NOTE: a Fenian hanged for the Clerkenwell explosion.

REFERRED TO: 547, 554

BEADON, CECIL (1816-81; *DNB*). Referred to: 234

BEAL, JAMES (1829-91; *MEB*). Questioned: 444-59

BEALES, EDMOND (1803-81; *DNB*). Referred to: 101-2, 104, 114, 343, 346

———— Letter to *The Times*, 2 Aug., 1866, 5.

REFERRED TO: 114

BEAUFORT, DUKE OF. See Henry Charles Fitzroy Somerset.

BEAUMONT, WENTWORTH BLACKETT (1829-1907; *WWBMP*). Motion on the Election Petitions and Corrupt Practices at Elections Bill (23 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, cols. 1681-2.

REFERRED TO: 326

BEGGS, THOMAS (1808-96; *MEB*). Questioned: 471-6

BELL, ANDREW (1753-1832; *DNB*). Referred to: 362

BENTHAM, JEREMY (1748-1832; *DNB*). *Letters to Lord Grenville on the Proposed Reform in the Administration of Civil Justice in Scotland* (1807). In *Works*. Ed. John Bowring. 11 vols. Edinburgh: Tait; London: Simpkin, Marshall; Dublin: Cumming, 1843, V, 1-53.

REFERRED TO: 233

BENTINCK, GEORGE AUGUSTUS FREDERICK CAVENDISH (1821-91; *MEB*). Motion on the Municipal Corporations (Metropolis) Bill (17 June, 1868; Commons), *PD*, 3rd ser., Vol. 192, cols. 1735-7.

REFERRED TO: 291, 301

BERESFORD-HOPE, ALEXANDER JAMES BERESFORD (1820-87; *WWBMP*). Speech on the Sunday Lectures Bill (19 June, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 97-9.

REFERRED TO: 290, 294

———— Speech on the Representation of the People Bill (27 June, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 630-1.

REFERRED TO: 195

———— Speech on the Elementary Education Bill (15 Mar., 1870; Commons), *PD*, 3rd ser., Vol. 199, cols. 2021-6.

REFERRED TO: 384

BIBLE. *The Holy Bible, Conteyning the Old Testament, and the New: Newly Translated out of the Originall Tongues: and with the Former Translations Diligently Compared and Revised by His Maiesties Speciall Comandement. Appointed to Be Read in Churches.* London: Barker, 1611.

REFERRED TO: 383

———— New Testament. Referred to: 4

———— Acts. Referred to: 352

———— Ecclesiastes. Referred to: 37

———— Exodus. Referred to: 38

———— Genesis. Referred to: 36, 354

———— Isaiah.

NOTE: the quotations are indirect.

QUOTED: 248, 260

———— I Kings. Referred to: 428

———— Luke.

NOTE: for the reference at 321 see also Matthew, 8:9; for that at 352 see also Matthew, 5:11-12

REFERRED TO: 321, 352

———— Matthew.

NOTE: for the reference at 321 see also Luke 7:8; for that at 352 see also Luke, 6:22-3.

QUOTED: 363

REFERRED TO: 321, 352, 356, 430

363.1 "Be ye perfect as your Father is perfect."] Be ye therefore perfect, even as your Father which is in heaven is perfect. (5:48)

———— Proverbs. Referred to: 328

———— II Samuel. Referred to: 428

BIDGOOD, HENRY.

NOTE: member of Local Board of St. James, Westminster

QUESTIONED: 503

BIRT, DANIEL (d. 1878).

NOTE: a draper and prominent vestryman in St.-George-the-Martyr parish.

QUESTIONED: 500-3

BLACK, WILLIAM HENRY (1808-72; *DNB*). Questioned: 490-1

BLACKBURN, COLIN (1813-96; *MEB*). Charge to the Westminster Grand Jury in the Case of Governor Eyre. In "Ex-Governor Eyre," *The Times*, 3 June, 1868, 9-10.

REFERRED TO: 302

BLACKSTONE, WILLIAM (1723-80; *DNB*). *Commentaries on the Laws of England*. 4 vols. Oxford: Clarendon Press, 1765-69.

NOTE: the 5th ed., 4 vols. (Oxford: Clarendon Press, 1773) is in SC.

QUOTED: 271

271.22-3 "It . . . guilty should escape . . . innocent person should suffer,"] [paragraph] Fourthly, all presumptive evidence of felony should be admitted cautiously: for the law holds, that it . . . guilty persons escape, . . . innocent suffer. (IV, 352)

BLACKWOOD, FREDERICK TEMPLE HAMILTON-TEMPLE (LORD DUFFERIN) (1826-1902; *DNB*). *Mr. Mill's Plan for the Pacification of Ireland Examined*. London: Murray, 1868.

REFERRED TO: 258, 260

BOLINGBROKE. See Henry Saint-John.

The Booke of the Common Prayer and Administracion of the Sacramentes, and Other Rites and Ceremonies of the Church: after the Use of the Church of England. London: Whitchurche, 1549.

NOTE: the quotation of the General Confession is indirect.

QUOTED: 49

BOURKE, RICHARD SOUTHWELL (Earl of Mayo) (1822-72; *DNB*). Speech on the State of Ireland (10 Mar., 1868; Commons), *PD*, 3rd ser., Vol. 190, cols. 1353-94.

REFERRED TO: 248, 250, 252, 254, 259-60, 310

BOURKE, THOMAS FRANCIS (b. 1840).

NOTE: a general in the Fenian army; JSM uses the spelling Burke.

REFERRED TO: 166, 167, 171, 172-3

BOUVERIE, EDWARD PLEYDELL (1818-89; *DNB*). Speech on the Election Petitions and Corrupt Practices at Elections Bill (21 May, 1868; Commons), *PD*, 3rd ser., Vol. 192, cols. 682-5.

REFERRED TO: 300

———— Speech on the Election Petitions and Corrupt Practices at Elections Bill (6 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, cols. 722-8.

REFERRED TO: 301, 302

BOWYER, GEORGE (1811-83; *WWBMP*). Referred to: 276

———— Speech on the *Alabama* Claims (6 Mar., 1868; Commons), *PD*, 3rd ser., Vol. 190, cols. 1183-8.

REFERRED TO: 243, 246

BRADFIELD, JOHN EDWIN (1818-88; *MEB*). Questioned: 512-13

BRAND, HERBERT CHARLES ALEXANDER (1839-1901; *DNB*). Referred to: 94

BRETT, WILLIAM BALLIOL (1817-99; *DNB*). Speech on the Representation of the People Bill (9 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 273-80.

REFERRED TO: 148-9

———— Speech on the Representation of the People Bill (17 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 737-8.

REFERRED TO: 150

———— Speech on the Election Petitions and Corrupt Practices at Elections Bill (22 May, 1868; Commons), *PD*, 3rd ser., Vol. 192, col. 690.

REFERRED TO: 280

———— Speech on the Election Petitions and Corrupt Practices at Elections Bill (17 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, col. 1373.

REFERRED TO: 312

———— Speech on the Election Petitions and Corrupt Practices at Elections Bill (17 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, cols. 1380.

REFERRED TO: 312

———— Speech on the Election Petitions and Corrupt Practices at Elections Bill (22 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, cols. 1622-3.

REFERRED TO: 316

BREWER, WILLIAM (d. 1881; *MEB*). Referred to: 13, 14, 15

BRIGHT, JACOB (1821-99; *DNB*). Speech on the State of Ireland (12 Mar., 1868; Commons), *PD*, 3rd ser., Vol. 190, cols. 1510-15.

REFERRED TO: 248

———— Speech on the Married Women's Property Bill (10 June, 1868; Commons), *PD*, 3rd ser., Vol. 192, cols. 1360-4.

REFERRED TO: 284

BRIGHT, JOHN (1811-89; *DNB*). Referred to: 201, 246

———— Speech on the Cattle Diseases Bill (14 Feb., 1866; Commons), *PD*, 3rd ser., Vol. 181, cols. 472-80.

REFERRED TO: 47

———— Speech on the Habeas Corpus Suspension Bill, Ireland (17 Feb., 1866; Commons), *PD*, 3rd ser., Vol. 181, cols. 685-95.

REFERRED TO: 52, 53

———— Speech on Presenting a Petition on Fenianism (3 May, 1867; Commons), *PD*, 3rd ser., Vol. 186, cols. 1929-31.

REFERRED TO: 188-9

————— Speech on the Representation of the People Bill (5 July, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 1090-7.

REFERRED TO: 207, 209, 210, 211

————— Speech on Parliamentary Reform—Representation of the People Bill (15 July, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 1550-4.

REFERRED TO: 213

BRIGHT, URSULA (née Mellor).

NOTE: wife of Jacob Bright.

REFERRED TO: 388-9

British Medical Journal. "Ladies Not Admitted," 9 Mar., 1867, 269.

REFERRED TO: 160

BRODRICK, GEORGE CHARLES (1831-1903; *DNB*).

NOTE: the copy-text gives his name as Broderick.

REFERRED TO: 132, 133

BROOKS, PRESTON SMITH (1819-57; *DAB*). Referred to: 33

BROUGHAM, HENRY PETER (Lord) (1778-1868; *DNB*). Speech on the Business of Parliament (5 June, 1837; Lords), *PD*, 3rd ser., Vol. 38, cols. 1169-84.

REFERRED TO: 274

BUCCLEUCH, DUKE OF. See Walter Francis Scott.

BUCKMASTER, JOHN CHARLES (1823-1908; *BP*). Questioned: 513-21

BULLOCH, JAMES DUNWODY (1823-1901; *DAB*). Referred to: 243

BULWER-LYTTON, EDWARD GEORGE EARLE LYTTON (1803-73; *DNB*). Speech on the Representation of the People Bill (13 Apr., 1866; Commons), *PD*, 3rd ser., Vol. 182, cols. 1237-53.

REFERRED TO: 59, 61, 62

BURDY, JOHN (d. 1865).

NOTE: put to death in Jamaica by Oxley, *q.v.*

REFERRED TO: 94

BURKE, EDMUND (1729-97; *DNB*). Referred to: 45

————— *Mr. Burke's Speech on Presenting to the House of Commons (on the Eleventh of February, 1780) a Plan for the Better Security of the Independence of Parliament, and the Oeconomical Reformation of the Civil and Other Establishments* (1780). In *Works*. 8 vols. London: Dodsley [Vols. I-III], Rivington [Vols. IV-VIII], 1792-1827, II, 175-267.

QUOTED: 45

5.4-5 "That system cannot be good which rests upon the heroic virtues." I do not hesitate to say, that, that state which lays its foundation in rare and heroic virtues, will be sure to have its superstructure in the basest profligacy and corruption. (240)

————— *Reflections on the Revolution in France, and on the Proceedings in Certain Societies in London Relative to That Event. In a Letter Intended to Have Been Sent to a Gentleman in Paris* (1790). In *Works*, III, 19-321.

REFERRED TO: 342

BURKE, RICHARD O'SULLIVAN (1838-1922).

NOTE: an Irish-American Fenian leader, who fought for the North in the Civil War, and was imprisoned in Clerkenwell prison.

REFERRED TO: 547, 554, 555

BURKE, THOMAS FRANCIS. See Bourke.

BURNS, ROBERT (1759-96; *DNB*). *The Vision* (1786). In *Works*. New ed. 2 pts. London: Tegg, *et al.*; Dublin: Milliken *et al.*; Glasgow: Griffin, 1824, II, 50-7.

NOTE: in SC, as was formerly *The Poetical Works*, 2 vols. (London: Pickering, 1830). The quotation is indirect.

QUOTED: 222

BUTLER, JOSEPHINE (1828-1906; *DNB*). Referred to: 388-9

BUTLER, TOBY (d. 1865).

NOTE: put to death in the Jamaica rebellion.

REFERRED TO: 95

BUXTON, CHARLES (1823-71; *DNB*). Speech on International Maritime Law (2 Mar., 1866; Commons), *PD*, 3rd ser., Vol. 181, cols. 1437-43.

REFERRED TO: 224

——— Speech on the Disturbances in Jamaica (31 July, 1866; Commons), *PD*, 3rd ser., Vol. 184, cols. 1763-85.

REFERRED TO: 105, 106, 107

CAIRNS, HUGH MACCALMONT (Earl) (1819-85; *DNB*). Speech on the Extradition Treaties Act Amendment Bill (3 Aug., 1866; Commons), *PD*, 3rd ser., Vol. 184, cols. 2019-22.

REFERRED TO: 116

CAMERON, DUGALD EDWARD.

NOTE: solicitor, member of St. Pancras vestry.

QUESTIONED: 505-9

CAMPBELL, GEORGE DOUGLAS (Duke of Argyll) (1823-1900; *DNB*). Referred to: 201, 371

CANDLISH, JOHN (1816-74; *WWBMP*). Motion on Parliamentary Reform—Representation of the People Bill (1 July, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 795-8.

REFERRED TO: 317

CARDWELL, EDWARD (1813-86; *DNB*). "Despatch from the Right Hon. Edward Cardwell, M.P., to Lieut.-Gen. Sir H.K. Storks, G.C.B., G.C.M.G.," *PP*, 1866, LI, 137-43.

QUOTED: 110

110.4-5 "to entrust . . . troubles,"] It remains, therefore, to decide whether the inauguration of the new Government shall be accomplished by Mr. Eyre, or whether Her Majesty shall be advised to intrust . . . troubles. (143)

110.6-8 "in new hands" . . . "taking . . . of"] They do not feel, therefore, that they should discharge their duty by advising the Crown to replace Mr. Eyre in his former Government; and they cannot doubt that, by placing the new form of Government in new hands they are taking . . . of Jamaica. (143)

CARPENTER, MARY (1807-77; *DNB*). Referred to: 388-9

CARREL, JEAN BAPTISTE NICOLAS ARMAND (1800-36; *DBF*). Referred to: 570-1

——— *Extrait du dossier d'un prévenu de complicité morale dans l'attentat du 28 juillet*. Paris: Paulin, 1835.

REFERRED TO: 571

CASEY, JOSEPH THEOBALD.

NOTE: a Fenian, formerly a porter; assistant to Burke; later a friend of James Joyce.

REFERRED TO: 547, 554, 555

CASTLE, WILLIAM (b. ca. 1805).

NOTE: of Melton Mowbray.

REFERRED TO: 314-15, 333

Cecil, ROBERT ARTHUR TALBOT GASCOYNE (Lord Cranborne, later Marquis of Salisbury) (1830-1903; *DNB*). Referred to: 187

————— Speech on the Representation of the People Bill (13 Mar., 1866; Commons), *PD*, 3rd ser., Vol. 182, cols. 227-36.

REFERRED TO: 56

————— Speech on Electoral Statistics (23 Mar., 1866; Commons), *PD*, 3rd ser., Vol. 182, cols. 874-7.

REFERRED TO: 113

————— Speech on the Representation of the People Bill (30 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 1357-9.

REFERRED TO: 186-7

————— Speech on the East India Revenue Accounts (12 Aug., 1867; Commons), *PD*, 3rd ser., Vol. 189, cols. 1378-82.

REFERRED TO: 235

CHADWICK, EDWIN (1800-90; *DNB*).

QUESTIONED: 529-35

REFERRED TO: 139, 391, 394-5

————— "On the New Education Bill," *Sessional Proceedings of the National Association for the Promotion of Social Science*, III (10 Mar., 1870), 261-84.

REFERRED TO: 391-2, 393

————— "On the Suggestions Afforded by the Application of the Cumulative Vote, and by the Other Incidents of the School Board Elections, for Improvement in the Constitution of Municipal and Local Governing Bodies," *Sessional Proceedings of the National Association for the Promotion of Social Science*, IV (1870-71), 227-8.

REFERRED TO: 410-11

————— "Report on the Sanitary Condition of the Labouring Population of Great Britain; a Supplementary Report on the Results of a Special Inquiry into the Practice of Interment in Towns," *PP*, 1843, XII, 395-681.

REFERRED TO: 139, 140, 529-30

CHAMBERLAIN, WILLIAM TANKERVILLE (1751-1802).

NOTE: an Irish judge; the quotation is from Howell, *State Trials*, q.v. for the collation.

QUOTED: 111

CHANNING, WILLIAM HENRY (1810-84; *EB*). Referred to: 33

CHAPMAN, HENRY SAMUEL (1803-81; *DNB*). Referred to: 10

CHARLES II (of England) (1630-85; *DNB*). Referred to: 417

CHELMSFORD, LORD. See Frederick Thesiger.

CHEVALIER, MICHEL (1806-79; *DBF*). Referred to: 371-2

CHILDERS, HUGH CULLING EARDLEY (1827-96; *DNB*). Referred to: 175

CHRIST. See Jesus.

CHRISTIE, WILLIAM DOUGAL (1816-74; *DNB*). *Electoral Corruption and Its Remedies*. London: National Association for the Promotion of Social Science, 1864.

NOTE: reprinted in *The Ballot, and Corruption and Expenditure at Elections* (London: Macmillan, 1872), 75-103, with note saying that it was originally published in a pamphlet (2 eds.) in 1864. He there mentions JSM's approval in No. 89.

REFERRED TO: 263, 265

————— *Suggestions for an Organization for the Restraint of Corruption at Elections*. London: National Association for the Promotion of Social Science, 1864.

REFERRED TO: 10, 11

CHURCHWARD, JOSEPH GEORGE.

NOTE: magistrate for Dover.

REFERRED TO: 232

CICERO, MARCUS TULLIUS (106-43 B.C.; *WWR*). *De natura deorum*. In *De natura deorum, Academica* (Latin and English). Trans. H. Rackham. London: Heinemann; New York: Putnam's Sons, 1933.

REFERRED TO: 229

———— *Letters to Atticus* (Latin and English). Trans. E.O. Winstedt. 3 vols. London: Heinemann; New York: Macmillan, 1912.

NOTE: in SC is *Epistolarum ad T. Pomponicum Atticum libri xvi*, in *Opera*, VI, 1-517.

QUOTED: 158

158.28 *in faece Romuli*] Nam Catonem nostrum non tu amas plus quam ego; sed tamen ille optimo animo utens et summa fide nocet interdum rei publicae; dicit enim tamquam in Platonis *Polyteia*, non tamquam in Romuli faece sententiam. (I, 108; II, i)

CLARENDON, LORD. See George William Frederick Villiers.

CLARK, RICHARD.

NOTE: sometimes Clarke; flogged without trial in Jamaica.

REFERRED TO: 95

CLARK, WILLIAM.

NOTE: member of the vestry of St. George's in the East.

QUESTIONED: 498-9

CLARKE, EDWARD GEORGE (1841-1931; *DNB*). *A Treatise on the Law of Extradition. With the Conventions upon the Subject Existing between England and Foreign Nations, and the Cases Decided Thereon*. London: Stevens and Haynes, 1867 [1866].

QUOTED: 121

121.9-10 "Any . . . course or in furtherance of any civil . . . political movement." On the same occasion Mr. J.S. Mill suggested that the political offences excluded from the operation of the law should be defined as, "Any . . . course of or furthering of civil . . . political commotions." (179)

CLARKE, SAMUEL (d. 1865).

NOTE: put to death in Jamaica.

REFERRED TO: 95

CLAY, JAMES (1804-73; *MEB*). Referred to: 84

COBDEN, RICHARD (1804-65; *DNB*). Referred to: 3, 4, 97, 371-3 *passim*

———— Speech at Rochdale (18 Aug., 1859), *The Times*, 19 Aug., 1859, 7.

REFERRED TO: 240

———— Speech at Rochdale (23 Nov., 1864). In *Speeches on Questions of Public Policy*. Ed. John Bright and James E. Thorold Rogers. 2 vols. London: Macmillan, 1870, II, 339-74.

REFERRED TO: 418

COCKBURN, ALEXANDER JAMES EDMUND (1802-80). *Charge of the Lord Chief Justice of England to the Grand Jury at the Central Criminal Court, in the Case of the Queen against Nelson and Brand*. Ed. Frederick Cockburn. London: Ridgway, 1867.

REFERRED TO: 203-4

COKE, EDWARD (1552-1634; *DNB*).

NOTE: the indirect quotation has not been located.

QUOTED: 276

COLERIDGE, SAMUEL TAYLOR (1772-1834; *DNB*). *Second Lay Sermon* ["Blessed are ye that sow beside all waters"] (1817). 2nd ed. In *On the Constitution of Church and State, and Lay Sermons*. Ed. Henry Nelson Coleridge. London: Pickering, 1839, 303-430.

NOTE: in SC.

REFERRED TO: 82

Colliery Guardian. "Our Supply of Coal," 27 May, 1865, 380.

NOTE: a review of Jevons, *The Coal Question*, q.v.

REFERRED TO: 71

COLLINS, JOHN RICHARD.

NOTE: a chemist; member of St. Pancras vestry.

QUESTIONED: 497-8

COMTE, ISIDORE AUGUSTE MARIE FRANÇOIS XAVIER (1798-1857; *DBF*). *Cours de philosophie positive*. 6 vols. Paris: Bachelier, 1830-42.

NOTE: in SC.

REFERRED TO: 222

CONINGHAM, WILLIAM (1815-84; *WWBMP*). Referred to: 350-1, 352, 353, 355

CORRANCE, FREDERICK SNOWDON (1822-1906; *WWBMP*). Speech on the State of Ireland (12 Mar., 1868; Commons), *PD*, 3rd ser., Vol. 190, cols. 1477-83.

REFERRED TO: 256, 257

————— Speech on the Election Petitions and Corrupt Practices at Elections Bill (18 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, cols. 1445-6.

REFERRED TO: 313

————— Speech on the Election Petitions and Corrupt Practices at Elections Bill (24 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, cols. 1730-2.

REFERRED TO: 330

CORRIE, WILLIAM (1806-81; *MEB*). Questioned: 443

COSTELLO, AUGUSTINE F. (d. 1909).

NOTE: a Fenian rebel.

REFERRED TO: 310, 315

COWELL, SCIPIO (d. 1865).

NOTE: put to death in Jamaica.

REFERRED TO: 95

COWLEY, LORD. See Henry Richard Wellesley.

COWPER-TEMPLE, WILLIAM FRANCIS (1811-88; *DNB*). Speech on the Elementary Education Bill (18 Mar., 1870; Commons), *PD*, 3rd ser., Vol. 200, cols. 287-9.

REFERRED TO: 382

CRANBORNE, LORD. See Robert Cecil.

CRAUFURD, EDWARD HENRY JOHN (1816-87; *WWBMP*). Motion on the Election Petitions and Corrupt Practices at Elections Bill (25 June, 1868; Commons), *PD*, 3rd ser., Vol. 192, col. 2173.

REFERRED TO: 300

CROMWELL, OLIVER (1599-1658; *DNB*). Referred to: 338

CULLEN, FRANCIS JAMES.

NOTE: Ensign, 1st West India Regiment.

REFERRED TO: 94, 218

DANGERFIELD, JOHN.

NOTE: vestry clerk and solicitor for St. Martin-in-the-Fields.

QUESTIONED: 486-9

DANTE ALIGHIERI (1265-1321; *EB*). *Dante's Divine Comedy: The Inferno. A Literal Prose Translation, with the Text of the Original*. Trans. John A. Carlyle. London: Chapman and Hall, 1849.

QUOTED: 280

280.11-12 "neither for God nor the enemies of God, but for themselves only." They are mingled with that abject choir of angels, who were not rebellious, nor were faithful to God; but were for themselves. (28; Canto III, ll. 37-9)

280.13 "Speak not of them, but look and pass on!" Let us not speak of them; but look, and pass. (29; Canto III, l. 51)

DARLING, CHARLES HENRY (1809-70; *DNB*). Referred to: 109

DAVIES, SARAH EMILY (1830-1921; *DNB*). Referred to: 159

————— *On the Application of Funds to the Education of Girls*. London: Longmans, et al., 1865.

REFERRED TO: 159

DAWKINS, ELLEN (d. 1865).

NOTE: put to death in Jamaica.

REFERRED TO: 95

DEASY, TIMOTHY (ca. 1838-88).

NOTE: an Irish-American Fenian, Civil War hero, arrested in 1867 but freed by his colleagues; escaped to United States.

REFERRED TO: 555

DEER, STEPHEN.

NOTE: self-confessed poacher.

REFERRED TO: 199, 212

DENMAN, GEORGE (1819-96; *DNB*). Speech on the Election Petitions and Corrupt Practices at Elections Bill (6 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, col. 745.

REFERRED TO: 303

DERBY, 14TH EARL OF. See Edward George Stanley.

DERBY, 15TH EARL OF. See Edward Henry Stanley.

DISRAELI, BENJAMIN (Lord Beaconsfield) (1804-81; *DNB*). Referred to: 10, 93, 94, 108, 109, 147, 148, 149, 151, 170, 171, 175, 187, 197, 198, 237, 265, 279-80, 336n, 338-9, 345-6, 355-6, 365

————— *Coningsby; or, The New Generation*. 3 vols. London: Colburn, 1844.

REFERRED TO: 20, 57

————— Speech on the State of Ireland (16 Feb., 1844; Commons), *PD*, 3rd ser., Vol. 72, cols. 1007-17.

REFERRED TO: 247-8

————— Speech on the Customs and Inland Revenue Bill (8 May, 1862; Commons), *PD*, 3rd ser., Vol. 166, cols. 1403-28.

QUOTED: 220

220.27 "bloated armaments"] Commerce, economy, and peace constitute the natural and normal policy of England, and I say this is an opportunity for the noble Lord possessing the confidence of this House, and armed with the resources of this country, to appeal to one who still in official *parlance* is our ally, and who might, under the noble Lord's influence, still become our friend—it is, I say, in the noble Lord's power to come to some really cordial understanding, sensible as well as cordial, between this country and France—the only two nations at present forming the councils of Europe, and to put an end to these bloated armaments which only involve States in financial embarrassment. (cols. 1425-6)

————— Speech on the Representation of the People Bill (27 Apr., 1866; Commons), *PD*, 3rd ser., Vol. 183, cols. 74-113.

REFERRED TO: 93

————— Speech on the Redistribution of Seats Bill (14 May, 1866; Commons), *PD*, 3rd ser., Vol. 183, cols. 874-901.

REFERRED TO: 76

- Speech on the Outbreak in Jamaica (19 July, 1866; Commons), *PD*, 3rd ser., Vol. 184, cols. 1066-9.
REFERRED TO: 108, 110, 113
- Speech on the Representation of the People Bill (6 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 15-19.
REFERRED TO: 146, 150
- Speech on the Representation of the People Bill (6 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 43-5.
REFERRED TO: 147
- Speech on the Representation of the People Bill (17 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 720-6.
QUOTED: 170
REFERRED TO: 150, 168, 170-1
- 170.34 "blundering hands,"] I have no doubt there are individuals who, having long tried with what I may call blundering hands to settle this question, may be exceedingly annoyed that those who have been their rivals in the enterprize have been more successful. (col. 726)
- Answer to Question on Business of the House (23 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 941-2.
REFERRED TO: 169
- Speech on the Representation of the People Bill (27 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 1135-42.
REFERRED TO: 175
- Speech on the Representation of the People Bill (30 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, col. 1362.
REFERRED TO: 187
- Speech on the Representation of the People Bill (31 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 1416-22.
REFERRED TO: 210
- Speech on the Representation of the People Bill (24 June, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 466-9.
REFERRED TO: 197-8
- Speech on the State of Ireland (26 July, 1867; Commons), *PD*, 3rd ser., Vol. 189, cols. 201-9.
REFERRED TO: 247-8
- Speech on the Parks Regulation Bill (29 July, 1867; Commons), *PD*, 3rd ser., Vol. 189, cols. 396-8.
REFERRED TO: 237, 238
- Speech on the Representation of the People Bill (8 Aug., 1867; Commons), *PD*, 3rd ser., Vol. 189, cols. 1108-13.
REFERRED TO: 232
- Speech at the Corn Exchange, Edinburgh (29 Oct., 1867), *The Times*, 30 Oct., 1867, 5.
REFERRED TO: 345, 356
- Motion on the Election Petitions and Corrupt Practices at Elections Bill (13 Feb., 1868; Commons), *PD*, 3rd ser., Vol. 190, cols. 693-702.
REFERRED TO: 265
- Reply to Question on Public Business (20 July, 1868; Commons), *The Times*, 21 July, 1868, 7.
NOTE: not in *PD*.
REFERRED TO: 316, 327

- *Vindication of the English Constitution, in a Letter to a Noble and Learned Lord.*
London: Saunders and Otley, 1835.
REFERRED TO: 10
- DODSON, JOHN GEORGE (1825-97; *WWBMP*). Statement on Motion on the Established Church, Ireland (7 May, 1868; Commons), *PD*, 3rd ser., Vol. 191, col. 1924.
REFERRED TO: 277
- Statement on the Election Petitions and Corrupt Practices at Elections Bill (14 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, cols. 1168, 1169.
REFERRED TO: 308, 309
- DONALDSON.
NOTE: hanged without trial in Jamaica.
REFERRED TO: 94
- DREW, GEORGE HENRY (1817-1906).
NOTE: see *Cambridge Alumni*; vestry clerk, Bermondsey.
QUESTIONED: 504-5
- DUFFERIN, LORD. See Frederick Blackwood.
- DUFFY, CHARLES GAVAN (1816-1903; *DNB*).
NOTE: the reference is inferred.
REFERRED TO: 10
- DUPOTY, MICHEL AUGUSTE (1797-1864; *DBF*). Referred to: 570
- DYOTT, RICHARD (1808-91; *WWBMP*). Speech on the Representation of the People Bill (25 June, 1867; Commons), *PD*, 3rd ser., Vol. 188, col. 532.
REFERRED TO: 200
- East London Observer*. Referred to: 492
- EDWARD VII (of England) (1841-1910; *DNB*). Referred to: 346
- EDWARDES, JUDY (d. 1865).
NOTE: put to death in Jamaica.
REFERRED TO: 95
- ELTON, CHARLES ISAAC (1839-1900; *MEB*). *A Treatise on Commons and Waste Lands, with Special Reference to the Law of Improvement*. London: Wildy, 1868 [1867].
REFERRED TO: 427
- EMERSON, RALPH WALDO (1803-82; *DAB*). Referred to: 33
- EMMETT, ROBERT (1778-1803; *DNB*). Referred to: 166, 189
- EYRE, EDWARD JOHN (1815-1901; *DNB*). Referred to: 91, 95, 109, 110n, 113n, 118, 343
- "Despatch to the Rt. Hon. Edward Cardwell, M.P." (20 Oct., 1865), *PP*, 1866, LI, 151-60.
REFERRED TO: 118
- FARR, WILLIAM (1807-83; *DNB*). Questioned: 459-67
- FAWCETT, HENRY (1833-84; *DNB*). Referred to: 65, 350-5 *passim*, 427
- Speech on Agricultural Women and Children (2 Apr., 1867; Commons), *PD*, 3rd ser., Vol. 186, cols. 1011-14.
REFERRED TO: 352
- Motion on the Tests Abolition (Oxford) Bill (10 Apr., 1867; Commons), *PD*, 3rd ser., Vol. 186, cols. 1431-2.
REFERRED TO: 352

- Motion on the Agricultural Children's Education Bill (14 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 559-61.
REFERRED TO: 352
- Speech on the Oxford and Cambridge Universities Education Bill (5 June, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 1630-2.
REFERRED TO: 352
- Motion on Ireland—Trinity College Dublin (18 June, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 55-8.
REFERRED TO: 352
- Motion on University Education in Ireland (10 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, cols. 1054-8.
REFERRED TO: 352
- Motion on the Election Petitions and Corrupt Practices at Elections Bill (18 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, cols. 1443-4.
REFERRED TO: 313-14, 316, 326, 327, 328, 333, 343, 352, 354
- Motion on the Election Petitions and Corrupt Practices at Elections Bill (24 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, col. 1716.
REFERRED TO: 327-8
- Motion for a Select Committee on the Inclosure Act (20 Apr., 1869; Commons), *PD*, 3rd ser., Vol. 195, cols. 1286-7.
REFERRED TO: 427
- "What Can Be Done for the Agricultural Labourers?" *Macmillan's Magazine*, XVIII (Oct. 1868), 515-25.
REFERRED TO: 352
- FERGUSSON, JAMES (1832-1907; *DNB*). Speech on the Representation of the People Bill, Scotland (8 June, 1868; Commons), *PD*, 3rd ser., Vol. 192, col. 1252.
REFERRED TO: 283
- FIELD, SPENCER.
NOTE: Captain in the 2nd Battalion of the 6th Regiment of Foot (Royal 1st Warwickshire); Lieutenant-Colonel 1886-88.
REFERRED TO: 94
- FIESCHI, GIUSEPPE MARCO (1790-1836; *EB*). Referred to: 571
- FITZGERALD, EDWARD (Lord) (1763-98; *DNB*). Referred to: 166, 189
- FITZGERALD, THOMAS. See Thomas Judkin-Fitzgerald.
- FLEMING, EDWARD (d. 1865).
NOTE: put to death in Jamaica.
REFERRED TO: 95
- FLOYER, JOHN (1811-87; *WWBMP*). Speech on the Election Petitions and Corrupt Practices at Elections Bill (24 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, cols. 1723-4.
REFERRED TO: 328
- FORD, HENRY.
NOTE: authorized by Adcock to flog men and women without trial.
REFERRED TO: 94
- FORSTER, CHARLES (1815-91; *WWBMP*). Statement on Ireland—Petition on Fenianism (14 June, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 1893-4.
REFERRED TO: 188

FORSTER, WILLIAM EDWARD (1818-86; *DNB*). Referred to: 392

——— Speech on Ireland—Petition on Fenianism (14 June, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 1891-2.

REFERRED TO: 189

——— Speech on the *Alabama* Claims (6 Mar., 1868; Commons), *PD*, 3rd ser., Vol. 190, cols. 1178-83.

REFERRED TO: 245, 245-6

——— Question on Public Business (20 July, 1868; Commons), *The Times*, 21 July, 1868, 7.

NOTE: not in *PD*.

REFERRED TO: 316, 327

——— Speech on the Elementary Education Bill (14 Mar., 1870; Commons), *PD*, 3rd ser., Vol. 199, cols. 1939-51.

REFERRED TO: 383, 384

——— Answer to Question Regarding Women on Educational Boards (16 June, 1870; Commons), *PD*, 3rd ser., Vol. 202, col. 259.

REFERRED TO: 401

FOUQUIER-TINVILLE, ANTOINE QUENTIN (1747-95; *DBF*). Referred to: 109, 110

FRANCIS, MARY ANN (d. 1865).

NOTE: put to death in Jamaica.

REFERRED TO: 95

FRANKLIN, BENJAMIN (1705-90; *DAB*). Letter to Benjamin Webb (22 Apr., 1784). In *The Private Correspondence of Benjamin Franklin*. London: Colburn, 1817, 54.

QUOTED: 73

73.8-12 "I only lend you this; if you are ever able, I expect you to repay it; but not to me: repay it to some other necessitous person, and do it under the same stipulation, that so the stream of benefits may still flow on, as long and as far as human honesty can keep it flowing." I send you herewith a bill for ten Louis d'ors. I do not pretend to give such a sum; I only lend it to you. When you shall return to your country with a good character, you cannot fail of getting into some business that will in time enable you to pay all your debts: in that case, when you meet with another honest man in similar distress, you must pay me by lending this sum to him; enjoining him to discharge the debt by a like operation when he shall be able, and shall meet with such another opportunity. I hope it may thus go through many hands before it meets with a knave that will stop its progress. (54)

FRASER, JAMES (1818-85; *DNB*). Referred to: 392, 397, 400

FRASER, WILLIAM AUGUSTUS (1826-98; *DNB*). *London Self-Governed*. London: Harvey, 1866.

REFERRED TO: 491

——— "On the Suggestions Afforded by the Application of the Cumulative Vote, and by the Other Incidents of the School Board Elections, for Improvement in the Constitution of Municipal and Local Governing Bodies," *Sessional Proceedings of the National Association for the Promotion of Social Science*, IV (1870-71), 228-9.

REFERRED TO: 410

FREEMAN, ROBERT.

NOTE: member of vestry of Kensington.

QUESTIONED: 493-4

FRY, THOMAS HENRY.

NOTE: chairman of Holborn Valley Improvement Committee.

QUESTIONED: 443

FULFORD, HENRY.

NOTE: an alleged poacher.

REFERRED TO: 199, 200, 212

FULLER, JOHN.

NOTE: member of vestry in Islington.

QUESTIONED: 521-2

FYFE, ALEXANDER GORDON.

NOTE: a magistrate in Jamaica.

REFERRED TO: 94

GALWAY, VISCOUNT. See George Monckton-Arundell.

GARRETT, ELIZABETH. See Elizabeth Anderson.

GARRISON, WILLIAM LLOYD (1805-79; *DAB*). Referred to: 201-3

GATHORNE-HARDY, GATHORNE (Earl of Cranbrook) (1814-1906; *DNB*). Referred to: 134, 136, 137, 140, 141, 142, 143, 200, 333

————— Speech on the Metropolitan Poor Bill (8 Mar., 1867; Commons), *PD*, 3rd ser., Vol. 185, cols. 1610-11.

REFERRED TO: 139, 142

————— Speech on the Metropolitan Poor Bill (11 Mar., 1867; Commons), *PD*, 3rd ser., Vol. 185, cols. 1679-80.

REFERRED TO: 140

————— Speech on the Metropolitan Poor Bill (11 Mar., 1867; Commons), *PD*, 3rd ser., Vol. 185, cols. 1685-6.

REFERRED TO: 141

————— Speech on the Metropolitan Poor Bill (14 Mar., 1867; Commons), *PD*, 3rd ser., Vol. 185, cols. 1864-5.

REFERRED TO: 143

————— Speech on the Representation of the People Bill (27 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 1184-5.

REFERRED TO: 176

————— Speech on the Uniformity Act Amendment Bill (29 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 1272-5.

QUOTED: 192

192.23 "miserable philosophers"] That which had been bestowed from the deep feeling of religion in the human heart was seized on for their own purposes by these miserable philosophers, who appear to him never to give anything out of their own pockets for the furtherance of their views. (col. 1275)

————— Speech on Martial Law—Charge of the Lord Chief Justice (2 July, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 908-12.

REFERRED TO: 203-4, 205

————— Speech on the Representation of the People Bill (4 July, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 1025-6.

REFERRED TO: 205-6

————— Speech on the Case of Fulford and Wellstead (5 July, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 1153-7.

REFERRED TO: 212

————— Statement on Imprisonment for Costs on a Dismissed Charge (21 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, col. 1554.

REFERRED TO: 314-15

GEOGHAN, LETITIA (d. 1865).

NOTE: put to death in Jamaica.

REFERRED TO: 95

GIBSON, THOMAS MILNER (1806-84; *DNB*). Speech on Registration of Publications (12 June; 1868; Commons), *PD*, 3rd ser., Vol. 192, cols. 1512-14.

REFERRED TO: 287

GILPIN, CHARLES (1815-74; *WWBMP*). Referred to: 171, 272

———— Motion on the Capital Punishment within Prisons Bill (21 Apr., 1868; Commons), *PD*, 3rd ser., Vol. 191, cols. 1033-41.

REFERRED TO: 266, 268, 269, 271, 272

GLADDING, ROBERT.

NOTE: bookseller resident in Whitechapel.

QUESTIONED: 489-90

REFERRED TO: 493

GLADSTONE, WILLIAM EWART (1809-98; *DNB*). Referred to: 42, 56, 57-8, 71, 89, 97, 98, 170, 171, 323, 336, 338, 345, 346, 349, 354, 355, 356, 360-1, 363, 363-7, 368, 369

———— Speech on the Borough Franchise Bill (11 May, 1864; Commons), *PD*, 3rd ser., Vol. 175, cols. 312-27.

REFERRED TO: 58, 152, 356, 360, 365

———— Speech on the Church Establishment (Ireland) (28 Mar., 1865; Commons), *PD*, 3rd ser., Vol. 178, cols. 420-34.

REFERRED TO: 360, 366

———— Speech at Chester (1 June, 1865), *The Times*, 2 June, 1865, 5.

NOTE: the quotation is indirect.

QUOTED: 22

———— Speech on the Habeas Corpus Suspension Bill, Ireland (17 Feb., 1866; Commons), *PD*, 3rd ser., Vol. 181, cols. 716-24.

REFERRED TO: 75

———— Speech on the Representation of the People Bill (12 Apr., 1866; Commons), *PD*, 3rd ser., Vol. 182, cols. 1124-49.

REFERRED TO: 56

———— Speech on Foreign Policy (20 July, 1866; Commons), *PD*, 3rd ser., Vol. 184, cols. 1241-52.

REFERRED TO: 98

———— Motion on the Representation of the People Bill (11 Apr., 1867; Commons), *PD*, 3rd ser., Vol. 186, cols. 1509-25.

REFERRED TO: 145

———— Speech on the Established Church (Ireland) (7 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 121-31.

REFERRED TO: 360, 366

———— Speech on the Irish Church Establishment (23 Mar., 1868; Commons), *PD*, 3rd ser., Vol. 191, cols. 32-3.

REFERRED TO: 356, 366

———— Speech on the Election Petitions and Corrupt Practices at Elections Bill (18 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, cols. 1447-8.

REFERRED TO: 354

———— Speech on the Elementary Education Bill (18 Mar., 1870; Commons), *PD*, 3rd ser., Vol. 200, cols. 292-303.

REFERRED TO: 382, 384

———— Speech on Real Estate Intestacy (16 Feb., 1871; Commons), *PD*, 3rd ser., Vol. 204, col. 322.

REFERRED TO: 418

GODWIN, WILLIAM (1756-1836; DNB). *Things as They Are: or, The Adventures of Caleb Williams* (1794). 4th ed. 3 vols. London: Simpkin and Marshall, 1816.

NOTE: in SC; the quotations are indirect.

QUOTED: 34

GOLDNEY, GABRIEL (1813-1900; WWBMP). Speech on the Representation of the People Bill (4 July, 1867; Commons), *PD*, 3rd ser., Vol. 188, col. 1024.

REFERRED TO: 205

GOLDSMID, FRANCIS HENRY (1808-78; DNB). Motion on the Extradition Treaties Act Amendment Bill (6 Aug., 1866; Commons), *PD*, 3rd ser., Vol. 184, cols. 2108-12.

REFERRED TO: 119

GOLDSMITH, OLIVER (1728-74; DNB). *Retaliation: A Poem. Including Epitaphs on the Most Distinguished Wits of This Metropolis*. London: Kearsly, 1774.

NOTE: the quotation is indirect.

QUOTED: 73

GORDON, EDWARD STRATHEARN (1814-79; WWBMP). Speech on the Representation of the People, Scotland (8 June, 1868; Commons), *PD*, 3rd ser., Vol. 192, col. 1241.

REFERRED TO: 282

GORDON, GEORGE WILLIAM (1818-65).

NOTE: put to death in Jamaica.

REFERRED TO: 95, 118

GOSCHEN, GEORGE JOACHIM (Viscount) (1831-1907; DNB). Speech on the Representation of the People Bill, and the Redistribution of Seats Bill (31 May, 1866; Commons), *PD*, 3rd ser., Vol. 183, cols. 1560-72.

REFERRED TO: 86

GOUGER, ROBERT (1802-46).

NOTE: a leading force behind the establishment of South Australia in 1836; see also Wakefield, *A Letter from Sydney*.

REFERRED TO: 16

GRAHAM, WILLIAM (1817-85; WWBMP). Motion on the Representation of the People Bill (Scotland) (28 May, 1868; Commons), *PD*, 3rd ser., Vol. 192, cols. 956-9.

REFERRED TO: 281

GRANT, JOHN PETER (1807-93; DNB). Referred to: 234

GRANT, WILLIAM (d. 1865).

NOTE: put to death in Jamaica.

REFERRED TO: 95

GRANT DUFF, MOUNTSTUART ELPHINSTONE (1829-1906; DNB). Speech on the Representation of the People Bill (30 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 1361-2.

REFERRED TO: 186

GRAY, WILLIAM (d. 1865).

NOTE: shot in Jamaica by Dr. Morris, *q.v.*

REFERRED TO: 94

GREGORY, WILLIAM HENRY (1817-92; DNB). Speech on International Maritime Law (2 Mar., 1866; Commons), *PD*, 3rd ser., Vol. 181, cols. 1407-20.

REFERRED TO: 224

GREY, GEORGE (1799-1882; DNB). Statement on the Inclosure of Hainault Forest (25 Apr., 1866; Commons), *PD*, 3rd ser., Vol. 182, col. 2012.

REFERRED TO: 74

GRIFFITH, RICHARD JOHN (1784-1878; *DNB*). "Return of the Probable Extent of Waste Lands in Each County in Ireland." In "Report from H.M. Commissioners of Inquiry into the State of the Law and Practice in Respect to the Occupation of Land in Ireland," *PP*, 1845, XIX, 48-52.

REFERRED TO: 253

GROSVENOR, HUGH LUPUS (Marquis, later Duke of Westminster; called Earl Grosvenor) (1825-99; *DNB*). Referred to: 145

———— Motion on the Representation of the People Bill (12 Apr., 1866; Commons), *PD*, 3rd ser., Vol. 182, cols. 1152-63.

REFERRED TO: 56, 57, 59, 60

GROSVENOR, ROBERT WELLESLEY (1834-1918; *WWBMP*). Referred to: 40, 54, 90, 320, 324, 325, 329, 340, 344, 347

———— Speech on the Representation of the People Bill (12 Mar., 1866; Commons), *PD*, 3rd ser., Vol. 182, cols. 87-90.

REFERRED TO: 54-5

GURNEY, RUSSELL (1804-78; *DNB*). Referred to: 284-5

———— Speech on the Disturbances in Jamaica (31 July, 1866; Commons), *PD*, 3rd ser., Vol. 184, cols. 1833-6.

REFERRED TO: 118

HALL, BENJAMIN (Baron Llanover) (1802-67; *DNB*). Referred to: 444, 461, 531

HALL, DICK (d. 1865).

NOTE: hanged in Jamaica by Adcock, *q.v.*

REFERRED TO: 94

HALL, THOMAS JAMES (1788-1876; *MEB*). Referred to: 116

HALLIDAY, FREDERICK JAMES (1806-91; *DNB*). Referred to: 234

HAMMOND, EDMUND (Lord) (1802-90; *DNB*). Questioned: 542-8, 561-3

HARE, THOMAS (1806-91; *DNB*).

QUESTIONED: 477-85

REFERRED TO: 181, 186, 409-11 *passim*

———— Evidence Given before the Select Committee on Metropolitan Local Government, *PP*, 1866, XIII, 378-91.

REFERRED TO: 422

———— "Ideal of a Local Government for the Metropolis," *MacMillan's Magazine*, VII (Apr. 1863), 441-7.

REFERRED TO: 477-8, 483-4

———— "Corrupt and Pernicious Influences at Elections," *Morning Star*, 11 Apr., 1865, 3.

REFERRED TO: 12-13, 477-8

———— "On the Suggestions Afforded by the Application of the Cumulative Vote, and by the Other Incidents of the School Board Elections, for Improvement in the Constitution of Municipal and Local Governing Bodies," *Sessional Proceedings of the National Association for the Promotion of Social Science*, IV (1870-71), 215-26.

REFERRED TO: 409-11 *passim*

———— *A Treatise on the Election of Representatives, Parliamentary and Municipal*. London: Longman, *et al.*, 1859.

NOTE: the 3rd ed., 1865, inscribed "From the Author," is in SC.

REFERRED TO: 37, 181, 207-8, 239-42

———— *Usque ad coelum: Thoughts on the Dwellings of the People, Charitable Estates, Improvements and Local Government in the Metropolis*. London: Low, 1862.

REFERRED TO: 477

- HARRISON, FREDERIC (1831-1923; *DNB*). Referred to: 134
- HAY, WILLIAM MONTAGU (1826-1911; *WWBMP*). Speech on the Government of India Act Amendment Bill (22 June, 1868; Commons), *PD*, 3rd ser., Vol. 192, cols. 1870-6.
REFERRED TO: 296-7
- HEILBRONN, ALEXANDER.
NOTE: extradited from United States on a charge of forgery; tried and acquitted.
REFERRED TO: 563
- HENLEY, JOSEPH WARNER (1793-1884; *DNB*). Speech on the Representation of the People Bill (27 June, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 634-5.
REFERRED TO: 194, 196
- Motion on the Representation of the People Bill (4 July, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 1023-4.
REFERRED TO: 205
- Speech on the Election Petitions and Corrupt Practices at Elections Bill (13 Feb., 1868; Commons), *PD*, 3rd ser., Vol. 190, cols. 714-15.
REFERRED TO: 302
- Speech on the Election Petitions and Corrupt Practices at Elections Bill (24 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, cols. 1727-8.
REFERRED TO: 327
- HENRY, THOMAS (1807-76; *DNB*).
QUESTIONED: 548-58
REFERRED TO: 560, 561, 562
- HESLOP, ALEXANDER (1817-79; *MEB*).
NOTE: *PD* spells his name Hislop.
REFERRED TO: 94
- HIBBERT, JOHN TOMLINSON (1824-1908; *DNB*). Speech on the Representation of the People Bill (9 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 267-73.
REFERRED TO: 146
- HICKSON, WILLIAM EDWARD (1803-70; *DNB*). Questioned: 538-40
———— "*Hand-Loom Weavers. Copy of Report by Mr. Hickson, on the Condition of the Hand-Loom Weavers (11 Aug., 1840)*", *PP*, 1840, XXIV, 659-717.
REFERRED TO: 539
- HIERON I (of Syracuse) (Tyrant: 478-467/6 B.C.; *WWG*).
NOTE: *JSM* calls him Hiero.
REFERRED TO: 229
- HILL, FREDERIC (1803-96; *MEB*). Referred to: 411
- HILL, WILLIAM (d. 1865).
NOTE: put to death in Jamaica.
REFERRED TO: 94
- HINXMAN, EDWARD (b. 1810).
NOTE: a magistrate.
REFERRED TO: 199, 200, 212-13
- HOARE, HENRY (1807-66; *MEB*). Referred to: 486
- HODGKINSON, GROSVENOR (1818-81; *WWBMP*). Motion on the Representation of the People Bill (17 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 708-12.
REFERRED TO: 150, 151, 168, 170, 175
- HOGG, JAMES MACNAUGHTEN MCGAREL (1823-90; *DNB*). Speech on the Municipal Corporations (Metropolis) Bill (17 June, 1868; Commons), *PD*, 3rd ser., Vol. 192, cols. 1738-9.
REFERRED TO: 30

HOLDSWORTH, JOSEPH. *On the Extension of the English Coal-fields beneath the Secondary Formations of the Midland Counties. Also, Does Coal Exist near London? Geologically Considered.* London: Middleton, 1866.

REFERRED TO: 71

HOLE, LEWIS BLYTH (1836-91).

NOTE: a soldier who helped quell the Jamaica Rebellion.

REFERRED TO: 94

HOLLAND, HENRY THURSTON (Viscount Knutsford) (1825-1914; *DNB*). Questioned: 558-61, 571

HOPE, ALEXANDER BERESFORD. See Alexander Beresford-Hope.

HORACE (Quintus Horatius Flaccus) (65-8 B.C.; *WWR*). *Epistles*. In *Satires, Epistles, Ars poetica* (Latin and English). Trans. H. Rushton Fairclough. London: Heinemann; New York: Putnam's Sons, 1929, 248-440.

QUOTED: 67

67.10 habes . . . ureris] "nec furtum feci nec fugi," si mihi dicat / servus. "habes . . . ureris," aio (354; I, xvi, 46-7)

HORSMAN, EDWARD (1807-76; *DNB*). Referred to: 56

——— Speech on the Representation of the People Bill (12 Mar., 1866; Commons), *PD*, 3rd ser., Vol. 182, cols. 90-114.

REFERRED TO: 56

——— Speech on the State of Ireland (12 Mar., 1868; Commons), *PD*, 3rd ser., Vol. 190, cols. 1466-77.

REFERRED TO: 258

HORTON, GEORGE.

NOTE: a clerk in the General Register Office.

QUESTIONED: 467-71

REFERRED TO: 462

——— *The Municipal Government of the Metropolis. By a Londoner.* London: Hardwicke, 1865.

REFERRED TO: 460-2, 467-9

HOTHAM, BEAUMONT (1794-1870; *WWBMP*). Speech on the Representation of the People Bill (27 June, 1867; Commons), *PD*, 3rd ser., Vol. 188, col. 632.

REFERRED TO: 196

HOWARD, HENRY FITZALAN- (Duke of Norfolk) (1847-1917; *DNB*). Referred to: 438-9

HOWELL, THOMAS BAYLY (1768-1815; *DNB*), and THOMAS JONES HOWELL (d. 1858; *DNB*), comps. *A Complete Collection of State Trials and Proceedings for High Treason*. 34 vols. London: Longman, et al., 1809-28.

QUOTED: 111

111.15-16 In summing-up, Justice Chamberlain, with whom Lord Yelverton agreed, said:—"The jury] His lordship said, that the jury (XXVII, col. 765)

111.19 They expected] No; it expected (XXVII, col. 765)

111.22 now] then (XXVII, col. 765)

111.23 and existing] and the existing (XXVII, col. 765)

111.25 provides] proved (XXVII, col. 765)

HUBBARD, JOHN GELLIBRAND (1805-89; *DNB*). "Draft Report Proposed by the Chairman" and "Memorandum Submitted by the Chairman," Appendix 1 to the "Report from the Select Committee on Income and Property Tax," *PP*, 1861, VII, 303-18.

REFERRED TO: 43

HUME, JOSEPH (1777-1855; *DNB*). Referred to: 220

——— Speech on Spain—Report on the Address (5 Feb., 1836; Commons), *PD*, 3rd ser., Vol. 31, cols. 126-9.

REFERRED TO: 220

HUNT, GEORGE WARD (1825-77; *DNB*). Speech on Supply—Post Office Service Estimates (7 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, col. 834.

REFERRED TO: 304-5

HUSKISSON, WILLIAM (1770-1830; *DNB*). Referred to: 97

HYDE, EDWARD (1609-74; *DNB*) (Earl of Clarendon). *The Life of Edward, Earl of Clarendon, Lord High Chancellor of England, and Chancellor of the University of Oxford*. 2 vols. in 1. Oxford: Clarendon Press, 1759.

REFERRED TO: 362

LIFF, WILLIAM TIFFIN.

NOTE: medical officer of health to Newington vestry.

QUESTIONED: 499-500

IM-THURN, EDUARD (1813-77). *Der Kanton Schaffhausen*. Vol. XII of *Historisch-geographisch-statistisches Gemälde der Schweiz*. 18 vols. St. Gallen and Berne: Huber, 1834-46.

NOTE: see *Dictionnaire historique et biographique de la Suisse*. The quotation is taken from *JSM's Principles of Political Economy*, q.v

QUOTED: 259

259.27 "superhuman" [translated from:] [paragraph] Ausser dem fast übermenschlichen Fleisse der Landbauer war bis zu Ende des vorigen Jahrhunderts an den ganzen Landwirthschaft nichts zu rühmen. (53)

The Irishman: "George Francis Train's Levees," 18 July, 1868, 37.

REFERRED TO: 315

JAMES, EDWARD (1807-67; *DNB*).

NOTE: see also *The Times*, 16 Jan., 1866.

REFERRED TO: 111

JEBB, WILLIAM FRANCIS (1828-90; *MEB*). Questioned: 499

JEFFREYS, JULIUS (1801-77; *DNB*). Referred to: 466

JERVIS, JOHN (1802-56; *DNB*). Referred to: 333

JESUS. Referred to: 362-3

JEVONS, WILLIAM STANLEY (1835-82; *DNB*). *The Coal Question: An Enquiry Concerning the Progress of the Nation, and the Probable Exhaustion of Our Coal Mines*. London and Cambridge: Macmillan, 1865.

REFERRED TO: 70-1

JOLIFFE, WILLIAM GEORGE HYLTON (1800-76; *DNB*). Speech on the Cattle Diseases Bill (16 Feb., 1866; Commons), *PD*, 3rd ser., Vol. 181, cols. 611-12.

NOTE: *JSM* is mistaken in attributing the argument to "the Member for Droitwich," Sir John Pakington, although he did participate in the debate; it was Joliffe (M.P. for Petersfield), however, who referred to the "article of milk," saying "A man who now proposed to invest capital in a dairy farm would be regarded as mad."

REFERRED TO: 51

JONES, J. "Our Future Coal-fields," *Intellectual Observer*, VIII (Jan. 1866), 435-9.

REFERRED TO: 71

JONES, LLOYD (1811-86; *DNB*). Referred to: 9

———— Speech at the Meeting of the London Association for the Promotion of Cooperation (28 Mar., 1864), *The Reasoner*, XXVIII (1 May, 1864), 116.

REFERRED TO: 9

JONES, THOMAS MASON.

NOTE: middle-class Irish reformer who served on the Committee of the Reform League as well as with the Reform Union.

REFERRED TO: 174

JUDKIN-FITZGERALD, THOMAS (d. 1810; *DNB*).

NOTE: JSM refers to him as Fitzgerald.

REFERRED TO: 111

KARSLAKE, EDWARD KENT (1820-92; *MEB*). Speech on the Married Women's Property Bill (10 June, 1868; Commons), *PD*, 3rd ser., Vol. 192, cols. 1355-8.

REFERRED TO: 284, 286

KARSLAKE, JOHN BURGESS (1821-81; *DNB*). Referred to: 218, 285

———— Speech on Parliamentary Reform—Representation of the People Bill (20 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 829-33.

REFERRED TO: 162

———— Speech on the Married Women's Property Bill (10 June, 1868; Commons), *PD*, 3rd ser., Vol. 192, cols. 1367-70.

REFERRED TO: 285, 286

———— Speech on the Election Petitions and Corrupt Practices at Elections Bill (14 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, col. 1177.

REFERRED TO: 310

KELLAND, PHILIP (1808-79; *DNB*). Referred to: 407, 408

KELLY, FITZROY (1796-1880; *DNB*). Referred to: 124

———— Resolution on the Malt Duty (17 Apr., 1866; Commons), *PD*, 3rd ser., Vol. 182, cols. 1509-19.

REFERRED TO: 72

KELLY, THOMAS J. (1833-1907).

NOTE: an Irish-American Fenian; arrested, then freed by his fellow Fenians, he escaped to New York.

REFERRED TO: 555

KINNAIRD, ARTHUR FITZGERALD (1814-87; *DNB*). Speech on the Sunday Lectures Bill (19 June, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 95-7.

QUOTED: 193

REFERRED TO: 192-3

193.1 "paid singers"] He himself went, and he found paid singers dressed in evening costume, the proceedings having much more of the character of a theatrical representation than of a scientific lecture. (96)

KINNEAR, JOHN BOYD (1828-1920; *WWBMP*). Speech on Proportional Representation (29 Feb., 1868), *Morning Star*, 2 Mar., 1868, 2.

REFERRED TO: 239, 240, 241

KNIGHTLEY, RAINALD (1819-95; *MEB*). Speech on the Representation of the People Bill (28 May, 1866; Commons), *PD*, 3rd ser., Vol. 183, cols. 1320-1.

REFERRED TO: 90

KNONAU. See Meyer von Knonau.

- KNOX, WILLIAM STUART** (1826-1900; *MEB*). Question on the Riots in Hyde Park (2 Aug., 1866; Commons), *PD*, 3rd ser., Vol. 184, col. 1905.
 REFERRED TO: 114
 ——— Question on the Meeting in the Tea-Room (2 Aug., 1867; Commons), *PD*, 3rd ser., Vol. 189, col. 769.
 REFERRED TO: 219
- LABOUCHERE, HENRY DU PRÉ** (1831-1912; *DNB*). Motion on the Public Schools Bill (16 June, 1868; Commons), *PD*, 3rd ser., Vol. 192, col. 1654.
 REFERRED TO: 290
- LAFAYETTE, MARIE JOSEPH GILBERT DU MOTIER, MARQUIS DE** (1757-1834; *GDU*).
 Referred to: 132
- LAING, SAMUEL** (1812-97; *DNB*). Speech on International Maritime Law (2 Mar., 1866; Commons), *PD*, 3rd ser., Vol. 181, cols. 1448-55.
 REFERRED TO: 224
 ——— Speech on the Representation of the People Bill (13 Apr., 1866; Commons), *PD*, 3rd ser., Vol. 182, cols. 1306-21.
 REFERRED TO: 208
 ——— Speech on the Representation of the People Bill (20 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 838-40.
 REFERRED TO: 161
 ——— Speech on the East India Revenue Accounts (12 Aug., 1867; Commons), *PD*, 3rd ser., Vol. 189, cols. 1363-72.
 REFERRED TO: 233
- LAMIRANDE, SUREAU**.
 NOTE: extradited from England September 1866.
 REFERRED TO: 228, 562
- LANCASTER, JOSEPH** (1778-1838; *DNB*).
 NOTE: the reference is to his system of education.
 REFERRED TO: 362
- LANDRAN, JOHN** (d. 1865).
 NOTE: hanged by Adcock.
 REFERRED TO: 94
- LANKESTER, EDWIN** (1814-74; *MEB*). Referred to: 451, 489
- LARKIN, MICHAEL** (d. 1867).
 NOTE: Fenian hanged for the Manchester affair.
 REFERRED TO: 555
- LA TOUR D'AUVERGNE-LAURAGUAIS, HENRI GODFROI BERNARD ALPHONSE, PRINCE DE** (1823-71; *GDU*). Letter to the Earl of Clarendon (14 Dec., 1865). In "Correspondence Respecting the Extradition Treaty with France," *PP*, 1866, LXXVI, 373-4.
 REFERRED TO: 544
- LAVERGNE, LOUIS GABRIEL LÉONCE GUILHAUD DE** (1809-80; *GDU*). *Economie rurale de la France depuis 1789* (1860). 2nd ed. Paris: Guillaumin, 1861.
 REFERRED TO: 259-60
- LAWRENCE, HENRY** (d. 1865).
 NOTE: put to death in Jamaica.
 REFERRED TO: 95
- LAWRENCE, JOHN** (d. 1865).
 NOTE: hanged by Adcock.
 REFERRED TO: 94

LAYARD, AUSTEN HENRY (1817-94; *DNB*). Speech on the Expiring Laws Continuance Bill (6 Aug., 1867; Commons), *PD*, 3rd ser., Vol. 189, cols. 976-8.

REFERRED TO: 228

LAYTON, JOHN.

NOTE: vestry clerk of Islington.

QUESTIONED: 509-12

REFERRED TO: 513

LEDRU ROLLIN, ALEXANDRE AUGUSTE (1807-74; *GDU*). Referred to: 570

LEEMAN, GEORGE (1809-82; *WWBMP*). Motion on the Election Petitions and Corrupt Practices at Elections Bill (23 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, cols. 1684-5.

REFERRED TO: 326

LEWIS, GEORGE CORNEWALL (1806-63; *DNB*). Referred to: 275

LEWIS, JOHN HARVEY (1814-88; *WWBMP*). Speech on the Artizans' and Labourers' Dwellings Bill (27 Mar., 1867; Commons), *PD*, 3rd ser., Vol. 186, cols. 697-8.

REFERRED TO: 294

———— Speech on the Municipal Corporations (Metropolis) Bill (17 June, 1868; Commons), *PD*, 3rd ser., Vol. 192, cols. 1737-8.

REFERRED TO: 301

———— Motion on the Poor Relief Bill (27 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, col. 1885.

REFERRED TO: 334

LINCOLN, ABRAHAM (1809-65; *DAB*). *Emancipation Proclamation*. Washington: n.p., 1863.

NOTE: in effect 1 January, 1863.

REFERRED TO: 202

LIVINGSTON, JASPER HALL (d. 1865).

NOTE: put to death in Jamaica.

REFERRED TO: 95

LLANOVER, LORD. See Benjamin Hall.

LOCKE, JOHN (1632-1704; *DNB*). Referred to: 73

LOCKE, JOHN (1805-80; *WWBMP*). Speech on the Metropolis Local Management Acts Amendment Bill (26 Feb., 1862; Commons), *PD*, 3rd ser., Vol. 165, cols. 747-9.

REFERRED TO: 230

———— Speech on the Elective Franchise Bill (30 May, 1866; Commons), *PD*, 3rd ser., Vol. 183, cols. 1530-3.

REFERRED TO: 84

LOPES, LOPES MASSEY (1818-1908; *DNB*). Motion on Local Charges on Real Property (12 May, 1868; Commons), *PD*, 3rd ser., Vol. 192, cols. 136-45.

REFERRED TO: 277, 279

LOUIS PHILIPPE (of France) (1773-1850; *GDU*). Referred to: 533

LOWE, ROBERT (1811-92; *DNB*). Referred to: 56, 63, 67-8, 74, 87, 249

———— Speech of Resignation (18 Apr., 1864), *PD*, 3rd ser., Vol. 174, cols. 1203-11.

REFERRED TO: 68

———— Speech on the Cattle Diseases Bill (14 Feb., 1866; Commons), *PD*, 3rd ser., Vol. 181, cols. 483-8.

REFERRED TO: 47, 48

- Speech on the Cattle Diseases Bill (16 Feb., 1866; Commons), *PD*, 3rd ser., Vol. 181, cols. 618-20.
 QUOTED: 52
 REFERRED TO: 51-2
 52.4-6 "Is it not absurd that because a man or any of his family is not mad, he should object to being taxed for a lunatic asylum?"] If you claim exemption, you might as well say that because a gentleman and his family are free from madness, he ought not to be taxed to pay for a lunatic asylum. (col. 620)
- Speech on the Representation of the People Bill (13 Mar., 1866; Commons), *PD*, 3rd ser., Vol. 182, cols. 141-64.
 REFERRED TO: 56, 63, 67, 87
- Speech on the Tenure and Improvement of Land Bill, Ireland (17 May, 1866; Commons), *PD*, 3rd ser., Vol. 183, cols. 1077-87.
 REFERRED TO: 79, 80
- Speech on the Representation of the People Bill, and the Redistribution of Seats Bill (31 May, 1866; Commons), *PD*, 3rd ser., Vol. 183, cols. 1625-50.
 REFERRED TO: 87
- Motion on the Representation of the People Bill (4 July, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 1036-42.
 REFERRED TO: 207, 208, 211
- Speech on the State of Ireland (12 Mar., 1868; Commons), *PD*, 3rd ser., Vol. 190, cols. 1483-1503.
 REFERRED TO: 247, 249, 255-6, 257, 258, 259
- Speech on the Married Women's Property Bill (10 June, 1868; Commons), *PD*, 3rd ser., Vol. 192, cols. 1364-7.
 REFERRED TO: 284
- LOWELL, JAMES RUSSELL (1819-91; *DAB*). Referred to: 33
- LOWTHER, JAMES (1840-1904; *DNB*). Motion on the Public Schools Bill (23 June, 1868; Commons), *PD*, 3rd ser., Vol. 192, col. 1926.
 REFERRED TO: 298
- LOYD, SAMUEL JONES (Baron Overstone) (1796-1883; *DNB*). Referred to: 486
- LUCAS, MARGARET (née Bright) (1818-90; *DNB*). Referred to: 388-9
- LUCAS, SAMUEL (1811-65; *DNB*). Referred to: 5
- LUKE, HENRY FRANCIS.
 NOTE: Captain in 1st West India Regiment; participated in court-martial in Jamaica (1865). *PD* calls him Lake.
 REFERRED TO: 94
- MCCAFFERTY, JOHN (b. 1838).
 NOTE: a Fenian from Ohio, fought for the South in the Civil War, and led the Fenian attack on Chester Castle.
 REFERRED TO: 166, 167, 171, 172-3
- MCCALL, JOHN (*alias* George McQuarry McCall).
 NOTE: put to death in Jamaica by Culler and Morris without trial.
 REFERRED TO: 94
- MCCLURE, JOHN.
 NOTE: a Fenian whose death sentence was commuted to life imprisonment.
 REFERRED TO: 166, 167, 171, 172-3

MACINTOSH, GEORGE (d. 1865).

NOTE: put to death in Jamaica.

REFERRED TO: 95

MCKENZIE, JAMES (d. 1865).

NOTE: hanged by Adcock.

REFERRED TO: 94

MCKERROW, WILLIAM (1803-78; *DNB*). Referred to: 5

MCLAREN, AGNES (1837-1913).

NOTE: daughter of Duncan McLaren.

REFERRED TO: 408-9

MCLAREN, DUNCAN (1800-86; *DNB*). Referred to: 408-9

————— Speech on Local Charges on Real Property (12 May, 1868; Commons), *PD*, 3rd ser., Vol. 192, cols. 145-7.

REFERRED TO: 279

————— Speech on Supply—Post Office (7 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, cols. 832-3.

REFERRED TO: 304

MCLAREN, PRISCILLA (née Bright) (1814-1906).

NOTE: sister of John and Jacob Bright.

REFERRED TO: 388-9, 408-9

MAINE, HENRY JAMES SUMNER (1822-88; *DNB*). *Village-Communities in the East and West. Six Lectures Delivered at Oxford*. London: Murray, 1871.

REFERRED TO: 427

MARCUS AURELIUS ANTONINUS (121-180 A.D.; *WWR*). *Communings with Himself [Meditations]* (Greek and English). Trans. C.R. Haines. London: Heinemann; New York: Putnam's Sons, 1930.

NOTE: a Greek and Latin ed. (Glasgow: Foulis, 1744) is in SC.

REFERRED TO: 251

MARTIN DU NORD, NICOLAS FERDINAND MARIE LOUIS JOSEPH (1790-1847; *GDU*). Referred to: 568

MARTINEAU, FRANCES BAILEY.

NOTE: concerned with repeal of the Contagious Diseases Acts.

REFERRED TO: 388-9

MARTINEAU, HARRIET (1802-76; *DNB*). Referred to: 388-9

MASSON, DAVID (1822-1907; *DNB*). Referred to: 407

MAY, THOMAS ERSKINE. *A Treatise on the Law, Privileges, Proceedings and Usage of Parliament* (1844). Ed. Gilbert Campion. 14th ed. London: Butterworth, [1946].

NOTE: this ed. used for ease of reference.

REFERRED TO: 108

MAYNE, RICHARD (1796-1868; *DNB*). Referred to: 114

Medical Times and Gazette: "Female Candidates at Apothecaries' Hall," 2 Mar., 1867, 229.

REFERRED TO: 160

MEYER VON KNONAU, GEROLD (1804-58).

NOTE: historian and geographer.

REFERRED TO: 259

MILES, TOMMY (*alias* Tom Bell).

NOTE: put to death in Jamaica by Cullen and Morris without trial.

REFERRED TO: 94

MILL, JAMES (1773-1836; *DNB*). Referred to: 15

MILL, JOHN STUART. "The Admission of Women to the Electoral Franchise."

NOTE: No. 55; the references are prospective.

REFERRED TO: 143, 145

———— "The Cattle Diseases Bill [1]."

NOTE: No. 12.

REFERRED TO: 50, 51-2

———— *Considerations on Representative Government*. London: Longman, *et al.*, 1861.

In *CW*, XIX, 371-577.

NOTE: the People's Ed. (London: Longman, *et al.*, 1865) is in *SC*.

REFERRED TO: 30, 84, 85, 331, 492

———— "The Disturbances in Jamaica [1]."

NOTE: No. 26.

REFERRED TO: 108

———— "Election Petitions and Corrupt Practices at Elections [7]."

NOTE: No. 116.

REFERRED TO: 307, 317

———— "Election Petitions and Corrupt Practices at Elections [10]."

NOTE: No. 123.

REFERRED TO: 308

———— *England and Ireland*. London: Longmans, *et al.*, 1868. In *CW*, VI, 505-32.

REFERRED TO: 254-61 *passim*

———— "A Few Words on Non-Intervention," *Fraser's Magazine*, LX (Dec. 1859), 766-76. In *CW*, XXI, 109-24.

REFERRED TO: 17

———— Letter to James Beal (7 Mar., 1865), *Daily News*, 23 Mar., 1865, 1. In *CW*, XVI, 1005-7.

REFERRED TO: 19

———— "Local Charges on Real Property."

NOTE: No. 95.

REFERRED TO: 313

———— "The Metropolitan Poor Bill [2]."

NOTE: No. 47.

REFERRED TO: 139

———— "The Municipal Corporations Bill."

NOTE: No. 56.

REFERRED TO: 230

———— "Personal Representation."

NOTE: No. 60.

REFERRED TO: 207

———— *Principles of Political Economy, with Some of Their Applications to Social Philosophy*. 2 vols. London: Parker, 1848. In *CW*, II-III.

NOTE: the quotations at 81, 418, and 425 are indirect; that at 259 is a translation of words of Edward Im-Thurn, *q.v.*

QUOTED: 30, 81, 259, 418, 425

REFERRED TO: 36, 259

30.26 "The] This (II, 109)

259.27 "superhuman"] [*paragraph*] The reader new to the subject must have been struck with the powerful impression made upon all the witnesses to whom I have referred, by what a Swiss statistical writer calls the "almost superhuman industry" of peasant proprietors.* [*footnote omitted*] (*CW*, II, 278)

————— *Programme of the Land Tenure Reform Association, with an Explanatory Statement by John Stuart Mill*. London: Longmans, et al., 1871. In CW, V, 687-95.

REFERRED TO: 416-31 *passim*

————— "Reform of Parliament."

NOTE: No. 58.

REFERRED TO: 59

————— "Reorganization of the Reform Party," *London and Westminster Review*, XXXII (Apr. 1839), 475-508. In CW, VI, 465-95.

REFERRED TO: 29

————— "Representation of the People [2]."

NOTE: No. 16.

REFERRED TO: 69, 70

————— *Thoughts on Parliamentary Reform*. London: Parker, 1859. In CW, XIX, 311-39.

REFERRED TO: 35, 84

————— "The Westminster Election of 1865 [2]."

NOTE: No. 6.

REFERRED TO: 28

MILTON, JOHN (1608-74; *DNB*). Referred to: 73

MITCHEL, JOHN (1815-75; *DNB*). *The History of Ireland, from the Treaty of Limerick to the Present Time; Being a Continuation of the History of the Abbé Macgeoghegan*. New York: Sadlier, 1868.

REFERRED TO: 249

MITCHELL, ALEXANDER (1831-73; *MEB*). Motion on the Election Petitions and Corrupt Practices at Elections Bill (26 Mar., 1868; Commons), *PD*, 3rd ser., Vol. 191, cols. 296-8.

REFERRED TO: 262

MITCHELL, CHARLES (d. 1865).

NOTE: put to death in Jamaica by Lieutenant Adcock.

REFERRED TO: 94

MITCHELL, HENRY SADLER.

NOTE: vestry clerk of Whitechapel.

QUESTIONED: 491-3

MONCKTON-ARUNDELL, GEORGE EDWARD ARUNDELL (Viscount Galway) (1805-76; *WWBMP*). Speech on the Representation of the People Bill (20 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 841-2.

REFERRED TO: 161

MONTAGU, ROBERT (Lord) (1825-1902; *DNB*). Referred to: 206, 332

————— Speech on the Representation of the People Bill (13 Apr., 1866; Commons), *PD*, 3rd ser., Vol. 182, cols. 1282-93.

REFERRED TO: 208

————— Speech on the Elective Franchise Bill (30 May, 1866; Commons), *PD*, 3rd ser., Vol. 183, cols. 1488-93.

REFERRED TO: 84

————— Speech on Supply—Civil Service Estimates (29 July, 1867; Commons), *PD*, 3rd ser., Vol. 189, cols. 353-61.

REFERRED TO: 217-18

MOODY, CHARLES.

NOTE: a confessed poacher.

REFERRED TO: 199, 212

MORRIS, HENRY (b. 1837).

NOTE: staff assistant surgeon to 1st West India Regiment.

REFERRED TO: 94, 218

MORRISON, WALTER (1836-1921; *WWBMP*). Speech on Proportional Representation (29 Feb., 1868), *Morning Star*, 2 Mar., 1868, 2.

REFERRED TO: 242

MOTLEY, JOHN LOTHROP (1814-77; *EB*). Referred to: 33

MOURAVIEF, MIKHAIL NIKOLAEVICH (1796-1866).

NOTE: Russian general; his name now transliterated as Murav'ev.

REFERRED TO: 173

MULLENS, RICHARD.

NOTE: solicitor to the Association of Bankers.

QUESTIONED: 563

MÜLLER, FRANZ (1840-64).

NOTE: a German tailor living in London; tried and convicted for murder.

REFERRED TO: 556

MULLINS, JOHN (d. 1865).

NOTE: put to death in Jamaica.

REFERRED TO: 94

MUNDELLA, ANTHONY JOHN (1825-97; *DNB*). Speech on the Elementary Education Bill (18 Mar., 1870; Commons), *PD*, 3rd ser., Vol. 200, cols. 236-44.

REFERRED TO: 383

NAPOLEON I (1768-1821; *GDU*). Referred to: 225

——— Décret impérial, en notre palais royal de Milan, le 17 décembre, 1807, *Gazette Nationale, ou Le Moniteur Universel*, 25 Dec., 1807, 1387.

REFERRED TO: 225

NAPOLEON III (of France) (1808-73; *GDU*). Referred to: 117, 216, 546, 551, 568

NARVAEZ, RAMON MARIA (1800-68; *EB*). Referred to: 173

NASSE, ERWIN (1829-90). *On the Agricultural Community of the Middle Ages, and Inclosures of the Sixteenth Century in England* (in German, 1869). Trans. H. A. Ouvry. London: Macmillan, 1871.

REFERRED TO: 427

NAVILLE, JULES ERNEST (1816-1909; *GE*). Referred to: 186

NEATE, CHARLES (1806-79; *DNB*). Motion on the Malt Duty—Resolution (17 Apr., 1866; Commons), *PD*, 3rd ser., Vol. 182, cols. 1521-4.

REFERRED TO: 70

——— Speech on the Meetings in Royal Parks Bill (22 July, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 1882-4.

REFERRED TO: 215

——— Speech on the Expiring Laws Continuance Bill (6 Aug., 1867; Commons), *PD*, 3rd ser., Vol. 189, cols. 978-80.

REFERRED TO: 228

——— Motion on the State of Ireland (10 Mar., 1868; Commons), *PD*, 3rd ser., Vol. 190, cols. 1314-23.

REFERRED TO: 248, 261

——— Speech on the Capital Punishment within Prisons Bill (21 Apr., 1868; Commons), *PD*, 3rd ser., Vol. 191, cols. 1046-7.

REFERRED TO: 272

NELSON, ALEXANDER ABERCROMBY (1816-93; *DNB*). Referred to: 94-5
 "NEVIN, MR."

NOTE: a fictitious character, invented by George Francis Train, *q.v.*

REFERRED TO: 315

NEWDEGATE, CHARLES NEWDIGATE (1816-87; *DNB*). Speech on the Established Church, Ireland (7 May, 1868; Commons), *PD*, 3rd ser., Vol. 191, col. 1928.

REFERRED TO: 277

NEWTON, ISAAC (1642-1727; *DNB*). Referred to: 73

NIGHTINGALE, FLORENCE (1820-1910; *DNB*). Referred to: 388-9

NORFOLK, DUKE OF. See Henry FitzAlan-Howard.

NORTHCOTE, STAFFORD HENRY (Earl of Iddesleigh) (1818-87; *DNB*).

NOTE: see also, under *PP*, "Report on the Organisation of the Permanent Civil Service," 1854.

REFERRED TO: 35, 88, 233, 300

———— Motion on the Representation of the People Bill (14 June, 1866; Commons), *PD*, 3rd ser., Vol. 184, col. 449.

REFERRED TO: 88

———— Speech on the Elective Franchise Bill (30 May, 1866; Commons), *PD*, 3rd ser., Vol. 183, cols. 1533-42.

REFERRED TO: 84

———— Speech on the East India Revenue Accounts (12 Aug., 1867; Commons), *PD*, 3rd ser., Vol. 189, cols. 1357-63.

REFERRED TO: 233

———— Motion on the Municipal Corporations (Metropolis) Bill (17 June, 1868; Commons), *PD*, 3rd ser., Vol. 192, col. 1740.

REFERRED TO: 300-1

NORTHUMBERLAND, DUKE OF. See George Percy.

NUGENT, FULKE SOUTHWELL GREVILLE (1821-83; *WWBMP*). Speech on the Tenure and Improvement of Land Bill, Ireland (30 Apr., 1866; Commons), *PD*, 3rd ser., Vol. 183, cols. 225-6.

REFERRED TO: 82

O'BRIEN, MICHAEL (d. 1867).

NOTE: an Irish-American Fenian hanged for his part in the Manchester rescue.

REFERRED TO: 555

O'CONNOR, LUKE SMYTHE (1806-73; *DNB*). Referred to: 94

ODGER, GEORGE (1820-77; *DNB*). Referred to: 335, 343

O'DONOGHUE, DANIEL (d. 1889; *WWBMP*). Speech on the Representation of the People Bill (27 Apr., 1866; Commons), *PD*, 3rd ser., Vol. 183, cols. 34-42.

REFERRED TO: 82-3

OSBORNE, RALPH BERNAL (1811-82; *WWBMP*). Speech on the Representation of the People Bill, Scotland (28 May, 1868; Commons), *PD*, 3rd ser., Vol. 192, col. 964.

REFERRED TO: 281

OVERSTONE, LORD. See Samuel Loyd.

OXLEY, CHARLES LYSTEN.

NOTE: naval officer, Lieutenant of the "Wolverine."

REFERRED TO: 94

PAGET, CLARENCE EDWARD (1811-95; *WWBMP*). Speech on Supply—Navy Estimates (1 Mar., 1866; Commons), *PD*, 3rd ser., Vol. 181, col. 1366.

REFERRED TO: 120

PAKINGTON, JOHN SOMERSET (1799-1880; *DNB*).

NOTE: the reference at 51 is mistaken; see William Joliffe.

REFERRED TO: 35, 51, 84, 85, 284

——— Speech on the Representation of the People Bill (31 May, 1866; Commons), *PD*, 3rd ser., Vol. 183, cols. 1572-90.

REFERRED TO: 84, 85

PALFREY, JOHN GORHAM (1796-1881; *EB*). Referred to: 33

PALMERSTON, LORD. See Henry John Temple.

PARKER, THEODORE (1810-60; *EB*). Referred to: 33

PARRY, CLIVE, ed. *The Consolidated Treaty Series*. 231 vols. Dobbs Ferry, N.Y.: Oceana Publications, 1969.

NOTE: this ed. used for ease of reference to miscellaneous treaties.

REFERRED TO: 371, 543, 545, 551, 552, 553, 555, 557

PATTERSON, HENRY (d. 1865).

NOTE: put to death in Jamaica.

REFERRED TO: 94

PAYNE, RICHARD (1810-90).

NOTE: Vicar of Downton.

REFERRED TO: 199, 200

PEARS, EDWIN (1835-1919; *DNB*). "The Elementary Education Bill," *Sessional Proceedings of the National Association for the Promotion of Social Science*, III (7 Apr., 1870), 345-6.

REFERRED TO: 393

PEEL, LAWRENCE (1799-1884; *DNB*). Referred to: 284

PEEL, ROBERT (1788-1850; *DNB*). Referred to: 97, 345

PERCY, GEORGE (Duke of Northumberland) (1778-1867; *BP*). Referred to: 438-9

PERRY, THOMAS ERSKINE (1806-82; *DNB*). Speech on the Married Women's Property Bill (14 May, 1857; Commons), *PD*, 3rd ser., Vol. 145, cols. 266-74.

REFERRED TO: 284

PHILLIPS, ALEXANDER.

NOTE: flogged without trial in Jamaica.

REFERRED TO: 95

PICARD, ADOLPH.

NOTE: a French clerk of Guibillier, France, assignee in the bankruptcy of Victor Widemann.

REFERRED TO: 548

PILGRIM, GEORGE.

NOTE: a gamekeeper.

REFERRED TO: 199, 200, 212

PILKINGTON, JAMES (1804-90; *MEB*). Referred to: 272

PLATO (427-347 B.C.; *WWG*). *Apology*. In *Euthyphro, Apology, Crito, Phaedo, Phaedrus* (Greek and English). Trans. H.N. Fowler. London: Heinemann; Cambridge, Mass.: Harvard University Press, 1914, 60-145.

REFERRED TO: 76

——— *Protagoras*. In *Laches, Protagoras, Meno, Euthydemus* (Greek and English). Trans. W.R.M. Lamb. London: Heinemann; Cambridge, Mass.: Harvard University Press, 1914, 92-256.

REFERRED TO: 76

——— *Republic* (Greek and English). Trans. Paul Shorey. 2 vols. London: Heinemann; Cambridge, Mass.: Harvard University Press, 1946.

REFERRED TO: 34

PLINY (the Elder) (ca. 23-79 A.D.; *WWR*). *Natural History* (Latin and English). Trans. H. Rackham, *et al.*, 10 vols. London: Heinemann; Cambridge, Mass.: Harvard University Press, 1938-52.

QUOTED: 160, 269

160.1 *instar omnium*] hi mercantes id a conterminis vehunt per maria vasta ratibus quas neque gubernacula regant neque remi impellant vel trahant vela, non ratio ulla adiuvet: omnium instar ibi sunt homo tantum et audacia. (IV, 62-4; XII, xli, 87)

269.30-1 *brutum fulmen*] sed haec omnia esse fortuita; hinc bruta fulmina et vana, ut quae nulla veniant ratione naturae, his percuti montes, his maria, omnesque alios inritos iactus; illa vero fatidica ex alto, statisque de causis et ex suis venire sideribus. (I, 254; II, xliii, 113)

POTTER, THOMAS BAYLEY (1817-98; *MEB*). Referred to: 128

POWELL, FRANCIS SHARP (1827-1911; *WWBMP*). Speech on the Representation of the People Bill (17 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 730-2.

REFERRED TO: 150

Programme of the Land Tenure Reform Association. See under John Stuart Mill.

PULLING, ALEXANDER (1813-95; *DNB*). Referred to: 300

READ, CLARE SEWELL (1826-1905; *DNB*). Speech on the Election Petitions and Corrupt Practices at Elections Bill (24 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, col. 1729.

REFERRED TO: 327

RENDLE, WILLIAM (1811-93; *DNB*). Questioned: 540-2

———— *Fever in London: Its Social and Sanitary Lessons*. London: Metropolitan Sanitary Association, 1866.

REFERRED TO: 540, 541-2

———— *London Vestries, and Their Sanitary Work: Are They Willing and Able to Do It?* London: Churchill, 1865.

REFERRED TO: 540, 541

ROBESPIERRE, MAXIMILIEN FRANÇOIS MARIE ISIDORE DE (1758-94; *GDU*). Referred to: 109-10

ROEBUCK, JOHN ARTHUR (1801-79; *DNB*). Referred to: 16

———— Speech on the Habeas Corpus Suspension Bill, Ireland (17 Feb., 1866; Commons), *PD*, 3rd ser., Vol. 181, cols. 695-8.

REFERRED TO: 54

ROLT, JOHN (1804-71; *DNB*). Speech on the Representation of the People Bill (17 May, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 735-6.

REFERRED TO: 150

ROSE, JAMES ANDERSON (1819-90; *MEB*). Referred to: 343

ROSE, PHILIP (1816-83; *MEB*).

NOTE: mistakenly referred to in No. 134, where James Anderson Rose (*q.v.*) is intended.

REFERRED TO: 264, 307

———— "Evidence." In "Report from the Select Committee of the House of Lords, Appointed to Inquire What Would Be the Probable Increase of the Number of Electors in the Counties and Boroughs of England and Wales from a Reduction of the Franchise," *Sessional Papers of the House of Lords*, 1860, I, 115-40.

QUOTED: 264

REFERRED TO: 264, 343

264.19-20 "We . . . return our municipal candidate, and we shall therefore be] [*paragraph*] It is almost laid down as an axiom by local agents who say, "We . . . return our man for the municipal council, and we shall be (130)

————— "Evidence Taken before the Select Committee on the Corrupt Practices Prevention Act," *PP*, 1860, X, 111-33.

QUOTED: 307

REFERRED TO: 343

307.27 is the] is in the (112)

ROUNDELL, CHARLES SAVILLE (1827-1906; *WWBMP*). Referred to: 132-3

RUSSELL, JOHN (Lord) (1792-1878; *DNB*). Referred to: 57, 201

————— Speech on the Address in Answer to the Queen's Speech (20 Nov., 1837; Commons), *PD*, 3rd ser., Vol. 39, cols. 65-73.

REFERRED TO: 57

RUSSELL, JOHN (Lord Amberley) (1842-76; *DNB*). Motion on the Sunday Lectures Bill (19 June, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 89-95.

REFERRED TO: 190-1

————— Motion on the Election Petitions and Corrupt Practices at Elections Bill (17 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, col. 1370.

REFERRED TO: 311

SALISBURY, MARQUIS OF. See Robert Arthur Talbot Gascoyne Cecil.

SALOMONS, DAVID (1797-1873; *DNB*). Referred to: 367

SALTER, JONATHAN.

NOTE: Chairman of Public Works Committee, St. Pancras vestry.

QUESTIONED: 494-7

SANDFORD, GEORGE MONTAGU WARREN (1821-79; *MEB*). Speech on the *Alabama* Claims (6 Mar., 1868; Commons), *PD*, 3rd ser., Vol. 190, cols. 1188-90.

REFERRED TO: 243, 244, 246

SAVAGE, JOHN (d. 1875; *MEB*). Questioned: 535-8

SCHREIBER, CHARLES (1826-84; *WWBMP*). Speech on the Election Petitions and Corrupt Practices at Elections Bill (22 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, cols. 1649-50.

REFERRED TO: 331, 343

SCOTT, BENJAMIN (1814-92; *DNB*). Questioned: 443-4

SCOTT, WALTER FRANCIS (Duke of Buccleuch) (1806-84; *BP*). Referred to: 438, 459

SEELY, CHARLES (1803-87; *WWBMP*). Speech on Supply—Navy Estimates (1 Mar., 1866; Commons), *PD*, 3rd ser., Vol. 181, cols. 1361-2.

REFERRED TO: 119-20

SELWYN, CHARLES JASPER (1813-69; *DNB*). Speech on the Bankruptcy Acts Repeal Bill (4 June, 1867; Commons), *PD*, 3rd ser., Vol. 187, cols. 1565-6.

REFERRED TO: 187

SEWARD, WILLIAM HENRY (1801-72; *DAB*). "Despatch to Mr. Adams" (27 Aug., 1866).

In "Correspondence Respecting British and American Claims Arising out of the Late Civil War in the United States," *PP*, 1867, LXXIV, 3-6.

REFERRED TO: 245, 246

SHAKESPEARE, WILLIAM (1564-1616; *DNB*). Referred to: 73

————— *I Henry IV*. In *The Riverside Shakespeare*. Ed. G. Blakemore Evans. Boston: Houghton Mifflin, 1974, 847-85.

REFERRED TO: 89

————— *Julius Caesar*. In *The Riverside Shakespeare*, 1105-34.

QUOTED: 251

251.2-3 "the evil . . . them." The evil that men do lives after them, / The good is oft interred with their bones; / So let it be with Caesar. (1121; III, ii, 75-7)

————— *Othello*. In *The Riverside Shakespeare*, 1198-1248.

NOTE: the quotation at 147 is indirect.

QUOTED: 147, 378

378.21 "suckle] To suckle (1213; II, i, 160)

————— *Romeo and Juliet*. In *The Riverside Shakespeare*, 1058-99.

REFERRED TO: 245

SHAW-LEFEVRE, GEORGE JOHN (1831-1928; *DNB*). Motion on the *Alabama Claims* (6 Mar., 1868; Commons), *PD*, 3rd ser., Vol. 190, cols. 1150-67.

REFERRED TO: 245

————— Motion on the Married Women's Property Bill (10 June, 1868; Commons), *PD*, 3rd ser., Vol. 192, cols. 1373-6.

REFERRED TO: 284

————— 'Speech on the Sea Fisheries Bill, Ireland (25 June, 1868; Commons), *PD*, 3rd ser., Vol. 192, col. 2021.

REFERRED TO: 299

SIMONIDES (of Ceos) (ca. 557-468/7 B.C.; *WWG*). Referred to: 229

SMILES, SAMUEL (1812-1904; *DNB*). "Workmen's Benefit Societies," *Quarterly Review*, CXVI (Oct. 1864), 318-50.

REFERRED TO: 29

SMITH, GOLDWIN (1823-1910; *DNB*). Referred to: 130-3 *passim*

————— "England and America," *Daily News*, 27 Nov., 1862, 5.

REFERRED TO: 130

SMITH, JOHN ABEL (1801-71; *DNB*). Motion on the Sale of Liquors on Sunday Bill (27 Mar., 1867; Commons), *PD*, 3rd ser., Vol. 186, col. 666.

REFERRED TO: 191

SMITH, WILLIAM HENRY (1825-91; *DNB*). Referred to: 15, 25, 26, 40, 41, 44, 45, 336, 339, 348, 369

SOCRATES (469-399 B.C.; *WWG*). Referred to: 76

SOMERSET, HENRY CHARLES FITZROY (Duke of Beaufort) (1824-99; *MEB*). Referred to: 362

SOUTH, ROBERT (1634-1716; *DNB*). *A Sermon Preached at the Cathedral Church of St. Paul, Nov. 9, 1662*. Oxford: Robinson, 1663.

QUOTED: 230

SPOFFORTH, MARKHAM (1825-1907).

NOTE: a lawyer who assisted Philip Rose as Conservative parliamentary agent 1853-59, replacing him 1859-69; in 1875 he became a Taxing Master in Chancery.

REFERRED TO: 307, 331

STANLEY, EDWARD GEORGE GEOFFREY SMITH (14th Earl of Derby) (1799-1869; *DNB*). Referred to: 165-6, 167, 171-2, 173, 356, 366

————— Speech on the Treaty of Paris (22 May, 1856; Lords), *PD*, 3rd ser., Vol. 142, cols. 521-39.

REFERRED TO: 222

STANLEY, EDWARD HENRY (15th Earl of Derby) (1826-93; *DNB*). Referred to: 25, 35, 59, 60, 117, 121, 122, 123, 213, 214, 225, 229, 284

————— Speech on the Representation of the People Bill (12 Apr., 1866; Commons), *PD*, 3rd ser., Vol. 182, cols. 1163-76.

REFERRED TO: 59

———— Motion on the Extradition Treaties Act Amendment Bill (3 Aug., 1866; Commons), *PD*, 3rd ser., Vol. 184, cols. 2004-8.

REFERRED TO: 117

———— Speech on the Extradition Treaties Act Amendment Bill (6 Aug., 1866; Commons), *PD*, 3rd ser., Vol. 184, cols. 2113-15.

REFERRED TO: 120, 122-3

———— Speech on the Extradition Treaties Act Amendment Bill (6 Aug., 1866; Commons), *PD*, 3rd ser., Vol. 184, col. 2124.

REFERRED TO: 229

———— Speech on Turkey and Crete (28 Mar., 1867; Commons), *PD*, 3rd ser., Vol. 186, cols. 718-25.

REFERRED TO: 214

———— Statements on the Navy—Commodore Wiseman and the Turkish Navy (16 July, 1867; Commons), *PD*, 3rd ser., Vol. 188, col. 1622.

REFERRED TO: 214

———— Speech on the Expiring Laws Continuance Bill (6 Aug., 1867; Commons), *PD*, 3rd ser., Vol. 189, cols. 986-9.

REFERRED TO: 229-30

———— Speech on the *Alabama* Claims (6 Mar., 1868; Commons), *PD*, 3rd ser., Vol. 190, cols. 1168-78.

REFERRED TO: 244, 245-6, 246

STEPHEN, JAMES FITZJAMES (1829-94; *DNB*).

NOTE: see also *The Times*, 16 Jan., 1866.

REFERRED TO: 111

SUMNER, CHARLES (1811-74; *DAB*). Referred to: 33

SYMMONS, EDWARD (fl. 1648). *The First Sermon* [on Phil. 2:21], Entitled "*The Ecclesiastical Selfe-seeking*," Preached . . . 1632. In *Four Sermons*. London: Crooke, 1642, 1-44.

REFERRED TO: 338

TAYLOR, ALEXANDER (d. 1865).

NOTE: put to death in Jamaica.

REFERRED TO: 95

TAYLOR, CLEMENTIA (née Doughty; d. 1908).

NOTE: wife of Peter Alfred Taylor.

REFERRED TO: 381

TAYLOR, JUSTINA (d. 1865).

NOTE: put to death in Jamaica.

REFERRED TO: 95

TAYLOR, PETER ALFRED (1819-91; *DNB*). Motion for an Address on the Case of Fulford and Wellstead (5 July, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 1147-53.

REFERRED TO: 212

———— Motion on the Poor Relief Bill (17 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, col. 1421.

REFERRED TO: 312

TEMPLE, HENRY JOHN (Lord Palmerston) (1784-1865; *DNB*). Referred to: 89, 351, 353, 356, 359-60, 361, 365

THESIGER, FREDERICK (Baron Chelmsford) (1794-1878; *DNB*). Speech on the Extradition Treaties Act Amendment Bill (19 July, 1866; Lords), *PD*, 3rd ser., Vol. 184, cols. 1054-8.

REFERRED TO: 116

THOMPSON, THOMAS PERRONET (1783-1869; *DNB*). Speech on India—the Annexation of Oude (16 Feb., 1858; Commons), *PD*, 3rd ser., Vol. 148, cols. 1539-42.

REFERRED TO: 189

THWAITES, JOHN (1815-70; *MEB*).

QUESTIONED: 437-43

REFERRED TO: 231, 537

TIBALDI.

NOTE: an Italian worker resident in Paris, accused of attempting to assassinate Napoleon III.

REFERRED TO: c.i.1318, 1415

The Times.

NOTE: anonymous articles follow in chronological order.

————— Leading article on the Anti-Corn-Law League, 19 Dec., 1845, 4.

REFERRED TO: 3

————— "Conference at the Mechanics' Institution on Secular Education," 31 Oct., 1850, 5.

REFERRED TO: 3-5 *passim*

————— Leading article on the Education Question, 4 Nov., 1850, 4.

REFERRED TO: 3

————— Unheaded leader, 29 Mar., 1854, 9.

NOTE: the quotation is indirect.

QUOTED: 43

————— "Murderous Assault," 18 July, 1862, 5.

REFERRED TO: 272

————— "Proposed Market at Leicester Square," 27, 28, and 30 Apr., 1863, 6, 10, 14.

REFERRED TO: 487

————— "The Jamaica Committee," 16 Jan., 1866, 3.

NOTE: the legal opinion of James and Stephen.

QUOTED: 111

111.11 Fitzgerald.] Fitzgerald" (*27 St. Ni.*, p. 65). (3)

————— "Parliamentary Intelligence. House of Commons, Friday, June 8," 9 June, 1866, 6.

REFERRED TO: 91

————— "Extraordinary Case of Extradition," 17 Sept., 1866, 10.

REFERRED TO: 228

————— "Mr. Goldwin Smith on the Political History of England," 16 Jan., 1867, 12.

REFERRED TO: 130

————— "The Distress of East London," 21 Jan., 1867, 4.

REFERRED TO: 142

————— "Mr. Goldwin Smith on Cromwell," 22 Jan., 1867, 9.

REFERRED TO: 130

————— "Mr. Goldwin Smith upon Pitt," 29 Jan., 1867, 7.

REFERRED TO: 130

————— "Mr. Goldwin Smith upon Pitt (Concluded)," 5 Feb., 1867, 6.

REFERRED TO: 130

————— Announcement for 5 Feb., 6 Feb., 1867, 8.

NOTE: taken from the *London Gazette*.

REFERRED TO: 136

————— "The Metropolitan Poor Bill," 7 Mar., 1867, 6.

REFERRED TO: 141

- "The Duke of Beaufort and the West Gloucester Election," 4 Nov., 1868, 4.
 REFERRED TO: 362
- Unheaded leader on the Education Bill, 21 Mar., 1870, 8-9.
 REFERRED TO: 384
- TOCQUEVILLE, CHARLES ALEXIS HENRI CLÉREL DE (1805-59; *GDU*). *De la démocratie en Amérique*. [1st pt.] 2 vols. Paris: Gosselin, 1835.
 NOTE: autographed copy in SC.
 REFERRED TO: 66-7
- TONE, THEOBALD WOLFE (1763-98; *DNB*). Referred to: 189
- TORRENS, WILLIAM TORRENS McCULLAGH (1813-94; *DNB*). Referred to: 274
- Speech on International Maritime Law (2 Mar., 1866; Commons), *PD*, 3rd ser., Vol. 181, cols. 1433-7.
 REFERRED TO: 224
- Speech on the Metropolitan Poor Bill (8 Mar., 1867; Commons), *PD*, 3rd ser., Vol. 185, cols. 1615-16.
 REFERRED TO: 138
- Motion on the Artizans' and Labourers' Dwellings Bill (20 Nov., 1867; Commons), *PD*, 3rd ser., Vol. 190, col. 103.
 REFERRED TO: 294
- TRAIN, GEORGE FRANCIS (1829-1904).
 NOTE: an American merchant working for the imprisoned Fenians.
 REFERRED TO: 315
- TREITT, NESTOR.
 NOTE: a French lawyer in Paris, counsel to the English Embassy.
 QUESTIONED: 566-71
- TREVELYAN, CHARLES EDWARD (1807-86; *DNB*).
 NOTE: see also, under *PP*, "Report on the Organisation of the Permanent Civil Service," 1854.
 REFERRED TO: 88
- VANCE, JOHN (d. 1875; *WWBMP*). Question on Ireland—Convicts Warren and Costello (21 July, 1868; Commons), *PD*, 3rd ser., Vol. 193, col. 1556.
 REFERRED TO: 315
- VICTORIA (of England) (1819-1901; *DNB*). Referred to: 87, 93, 100, 172, 215, 216
- VILLIERS, GEORGE WILLIAM FREDERICK (Earl of Clarendon, Baron Hyde) (1800-70; *DNB*). Referred to: 412
- "The Earl of Clarendon to Earl Cowley" (10 Jan., 1866). In "Correspondence Respecting the Extradition Treaty with France," *PP*, 1866, LXXVI, 375-8.
 REFERRED TO: 121
- Letter to Lord Palmerston (6 Apr., 1856). Broadlands MS GC/CL/856.
 REFERRED TO: 221
- Speech on the Extradition Treaties Act Amendment Bill (19 July, 1866; Lords), *PD*, 3rd ser., Vol. 184, cols. 1058-9.
 REFERRED TO: 116
- VIRGIL (Publius Virgilius Maro) (70-19 B.C.; *WWR*). *Aeneid*. In *Virgil* (Latin and English). Trans. H. Rushton Fairclough. 2 vols. London: Heinemann; New York: Putnam's Sons, 1922, I, 240-570 (Bks. I-VI) and II, 2-364 (Bks. VII-XII).
 NOTE: in SC is *Opera*, ed. C.G. Heyne, 4 vols. (London: Priestley, 1821).
 QUOTED: 270

WAKEFIELD, EDWARD GIBBON (1796-1862; *DNB*). *A Letter from Sydney, the Principal Town of Australasia. Edited by Robert Gouger. Together with the Outline of a System of Colonization.* London: Cross, et al., 1829.

REFERRED TO: 16

————— *Plan of a Company to Be Established for the Purpose of Founding a Colony in Southern Australia, Purchasing Land Therein, and Preparing the Land So Purchased for the Reception of Immigrants.* London: Ridgway, 1831.

NOTE: published anonymously.

REFERRED TO: 16

WALKER, GEORGE (1824-88).

NOTE: an American writer on currency and banking questions.

REFERRED TO: 372

WALLACE, ROBERT (1831-99; *DNB*). Referred to: 408

WALPOLE, SPENCER HORATIO (1806-98; *DNB*). Referred to: 102, 119, 134, 290, 298

————— 'Statement on the Proposed Public Meeting in Hyde Park (19 July, 1866; Commons), *PD*, 3rd ser., Vol. 184, col. 1075.

REFERRED TO: 96

————— Speech on the Reform Meeting in Hyde Park (24 July, 1866; Commons), *PD*, 3rd ser., Vol. 184, cols. 1391-8.

REFERRED TO: 99

————— Speech on the Proposed Reform Meeting in Hyde Park (26 July, 1866; Commons), *PD*, 3rd ser., Vol. 184, cols. 1537-40.

REFERRED TO: 101, 102, 104

WALTON, RICHARD (d. 1865).

NOTE: put to death in Jamaica.

REFERRED TO: 94

WARD, MARY (d. 1865).

NOTE: put to death in Jamaica.

REFERRED TO: 95

WARREN, JOHN (fl. 1837-69).

NOTE: a Fenian.

REFERRED TO: 310, 315

WASON, PETER RIGBY (1798-1875; *MEB*). Referred to: 124

WATKIN, EDWARD WILLIAM (1819-1901; *DNB*). Speech on the Expiring Laws Continuance Bill (6 Aug., 1867; Commons), *PD*, 3rd ser., Vol. 189, cols. 982-3.

REFERRED TO: 227, 228

WELLESLEY, HENRY RICHARD (Earl Cowley) (1804-84; *DNB*). Referred to: 121

WELLSTEAD, MARK.

NOTE: an alleged poacher.

REFERRED TO: 199, 212

WEMYSS-CHARTERIS-DOUGLAS, FRANCIS (1818-1914; *WWBMP*). Speech on Parliamentary Reform—Representation of the People Bill (15 July, 1867; Commons), *PD*, 3rd ser., Vol. 188, cols. 1574-81.

REFERRED TO: 213

WHALLEY, GEORGE HAMPDEN (1813-78; *DNB*). Motion on the Church of England, Illegal Usages and Ornaments (23 May, 1865; Commons), *PD*, 3rd ser., Vol. 178, cols. 774-5.

REFERRED TO: 37

Whig Club, Instituted in May, 1784, by John Bellamy, to Be Composed of Gentlemen, Who Solemnly Pledge Themselves to Support the Constitution of This Country, According to the Principles Established at the Glorious Revolution. London: n.p., 1786.

- NOTE: the toast quoted is a commonplace.
 QUOTED: 251
 251.13 "pious and immortal memory"] The glorious and immortal memory of King William the Third. (1st Standing Toast, 15)
- WHITE, JAMES (1809-83; *WWBMP*). Referred to: 352
- WHITESIDE, JAMES (1804-76; *DNB*). Speech on the Elective Franchise Bill (30 May, 1866; Commons), *PD*, 3rd ser., Vol. 183, cols. 1502-10.
 REFERRED TO: 84, 92
- WILKINSON, JOSIAH.
 NOTE: a barrister representing St. Pancras on the Metropolitan Board of Works 1856-64.
 REFERRED TO: 505
- WILLIAM III (of England) (1650-1702; *DNB*). Referred to: 251
- WILSON, JAMES.
 NOTE: a resident of Bloomsbury; had lived in New York, New Orleans, and Canada
 QUESTIONED: 522-9
- WINDHAM, WILLIAM (1750-1810; *DNB*). Speech on the Defence of the Country (22 July, 1807; Commons), *PD*, 1st ser., Vol. 9, cols. 882-906.
 NOTE: the quotation is indirect.
 QUOTED: 153
- WINDSOR, CHARLES.
 NOTE: teller for Mercantile Bank of New York; accused of forgery.
 REFERRED TO: 549, 564
- WINTER, WILLIAM (d. 1865).
 NOTE: put to death in Jamaica.
 REFERRED TO: 94
- WINTERBOTHAM, HENRY SELFE PAGE (1837-73; *DNB*). Speech on the Inclosure Law Amendment Bill (23 Feb., 1871; Commons), *PD*, 3rd ser., Vol. 204, cols. 823-6.
 REFERRED TO: 421
- WISEMAN, WILLIAM SALTONSTALL (1814-74).
 NOTE: an Admiral in the British Navy.
 referred to: 213-14
- WORDSWORTH, WILLIAM (1770-1850; *DNB*). Referred to: 73
- WRIGHT.
 NOTE: French teacher in Clonmel.
 REFERRED TO: 111
- YELVERTON. See Avonmore.
- ZINCKE, FOSTER BARHAM (1817-93; *DNB*). "The Elementary Education Bill," *Sessional Proceedings of the National Association for the Promotion of Social Science*, III (7 Apr., 1870), 346-7.
 NOTE: Zincke spoke in the discussion immediately before JSM.
 REFERRED TO: 392

BRITAIN

PARLIAMENTARY PAPERS

"Papers, Presented to the House of Commons, Relating to the Correspondence with America, on Certain Orders in Council" (1 Feb., 1809), *PP*, 1809, IX, 375-430.

REFERRED TO: 226

"Copy of a Letter from the Chief Secretary for Ireland, to His Grace the Duke of Leinster, on the Formation of a Board of Commissioners for Education in Ireland," *PP*, 1831-32, XXIX, 757-60.

REFERRED TO: 252

"A Bill [as Amended by the Committee] to Regulate the Labour of Children and Young Persons in the Mills and Factories of the United Kingdom," 4 William IV (1 Aug., 1833), *PP*, 1833, II, 281-95.

NOTE: enacted as 3 & 4 William IV, c. 103.

REFERRED TO: 394

"Report from His Majesty's Commissioners for Inquiring into the Administration and Practical Operation of the Poor Laws" (21 Feb., 1834), *PP*, 1834, XXVII, 1-263.

REFERRED TO: 139, 394, 529-30

"A Bill for the Amendment and Better Administration of the Laws Relating to the Poor in England and Wales," 4 William IV (18 Apr., 1834), *PP*, 1834, III, 235-90.

NOTE: enacted as 4 & 5 William IV, c. 76.

REFERRED TO: 394

"First Report of the Commissioners Appointed to Inquire as to the Best Means of Establishing an Efficient Constabulary Force in the Counties of England and Wales." *PP*, 1839, XIX, 1-233.

REFERRED TO: 529

"Treaty between Her Majesty and the United States of America, Signed at Washington" (9 Aug., 1842), *PP*, 1843, LXI, 1-8.

REFERRED TO: 543, 564

"Convention between Her Majesty and the King of the French, for the Mutual Surrender, in Certain Cases, of Persons Fugitive from Justice" (13 Mar., 1843), *PP*, 1867-68, VII, 257.

NOTE: see also 6 & 7 Victoria, c. 75.

REFERRED TO: 117, 544, 570

"An Account of Loans Advanced by the Imperial Treasury for Public Works in Ireland:—Similar Account for England and Scotland:—Remittances from the British and Irish Exchequers; and Totals of Relief of Taxation to Great Britain and Ireland Respectively, in Each Year since 1800," *PP*, 1847, LIV, 91-282.

REFERRED TO: 252

"First and Second Report of the Metropolitan Sanitary Commission," *PP*, 1847-48, XXXII, 1-319.

REFERRED TO: 529-30

"Despatches between the Governor of Malta and the Secretary of State for the Colonies, Relating to the Admission of Foreigners into the Island of Malta" (12 Mar., 1850), *PP*, 1850, XXXVI, 843-917.

REFERRED TO: 571

"Convention between Great Britain and France, for the Mutual Surrender of Criminals, —Signed at London, May 28, 1852." *British and Foreign State Papers 1851-52*. Vol. 41. London: Ridgway, 1864, 20-36.

REFERRED TO: 544

"Report on the Census of 1851," *PP*, 1852-53, LXXXV, 9-98.

REFERRED TO: 459

"Report of the Commissioners Appointed to Inquire into the Existing State of the Corporation of the City of London, and to Collect Information Respecting Its Constitution, Order, and Government, together with the Minutes of Evidence and Appendix," *PP*, 1854, XXVI, 1-1098.

REFERRED TO: 230, 275, 447, 501

"Report on the Organisation of the Permanent Civil Service, together with a Letter from the Rev. B. Jowett," *PP*, 1854, XXVII, 1-31.

NOTE: known as the Northcote-Trevelyan Report; prepared by Sir Stafford Northcote and Sir Charles Trevelyan, who dated it 23 Nov., 1853.

REFERRED TO: 88

"Declaration Respecting Maritime Law, Signed by the Plenipotentiaries of Great Britain, Austria, France, Prussia, Russia, Sardinia, and Turkey, Assembled in Congress at Paris" (16 Apr., 1856), *PP*, 1856, LXI, 153-8.

REFERRED TO: 220-7 *passim*, 412

"Ordinance of the Government of Labuan, for Facilitating the Apprehension and Surrender of Certain Offenders Escaping to Labuan from the Dominions of the Sultan of Borneo" (4 Feb., 1857), *British and Foreign State Papers*, LVIII (1867-68), 754-6.

REFERRED TO: 560

"A Bill to Amend the Laws with Respect to the Property of Married Women," 20 Victoria (14 May, 1857), *PP*, 1857, III, Pt. ii, 243-8.

NOTE: not enacted.

REFERRED TO: 284, 378

"An Account of Gross Public Revenue and Expenditure from the Year 1851 to the Year 1857 Inclusive . . .," *PP*, 1857-58, XXXIII, 134.

REFERRED TO: 70

"An Account of the Expenditure for the Army, Navy, Ordnance, and Militia from 1851-1857 Inclusive . . .," *PP*, 1857-58, XXXIII, 135.

REFERRED TO: 70

"A Bill Further to Amend the Laws Relating to the Representation of the People in England and Wales," 23 Victoria (1 Mar., 1860), *PP*, 1860, V, 597-608.

NOTE: not enacted.

REFERRED TO: 58

"Report from the Select Committee on the Gas (Metropolis) Bill; with the Proceedings of the Committee, and Minutes of Evidence (27 July, 1860)," *PP*, 1860, XXI, 29-428.

REFERRED TO: 454

"Report from the Select Committee on the Corrupt Practices Prevention Act (1854) etc.; together with the Proceedings of the Committee, Minutes of Evidence, Appendix, and Index," *PP*, 1860, X, 1-338.

NOTE: see also Philip Rose.

QUOTED: 308

REFERRED TO: 307

"A Bill to Grant Additional Facilities for Depositing Small Savings at Interest, with the Security of the Government for Due Repayment Thereof," 24 Victoria (11 Feb., 1861), *PP*, 1861, III, 781-8.

NOTE: enacted as 24 Victoria, c. 14.

REFERRED TO: 365

"Second Report from the Select Committee on Metropolis Local Taxation; together with the Minutes of Evidence, and Appendix" (24 June, 1861), *PP*, 1861, VIII, 137-380.

REFERRED TO: 163, 446, 448, 455

"Third Report from the Select Committee on Metropolis Local Taxation with the Proceedings of the Committee" (26 July, 1861), *PP*, 1861, VIII, 381-422.

REFERRED TO: 164

"A Bill to Render Legal Certain Marriages of Affinity," 25 Victoria (11 Feb., 1862), *PP*, 1862, III, 133-4.

NOTE: not enacted.

REFERRED TO: 26

"Education. Minute of the Right Honourable the Lords of the Privy Council on Education Establishing a Revised Code of Regulations," *PP*, 1862, XLI, 115-62.

REFERRED TO: 68

"Education. Minute of the Right Honourable the Lords of the Committee of the Privy Council on Education Confirming the Alterations of the Revised Code of Regulations Announced in Parliament on 13th February and 28th March, 1862, and Specifying the Course to Be Adopted for Putting It into Effect," *PP*, 1862, XLI, 167-88.

REFERRED TO: 68

"General Report on the Census of 1861," *PP*, 1863, LIII, 1-89.

REFERRED TO: 459

"A Bill to Enable Owners and Occupiers of Property in Certain Districts to Prevent the Common Sale of Intoxicating Liquors within Such Districts." 27 Victoria (10 Mar., 1864), *PP*, 1864, II, 357-64.

NOTE: not enacted.

REFERRED TO: 26-7

"A Bill for the Commutation of Church Rates," 28 Victoria (21 Feb., 1865), *PP*, 1865, I, 135-54.

NOTE: not enacted.

REFERRED TO: 35

"A Bill to Substitute an Oath for the Oath Required to Be Taken by the Statute Passed in the Tenth Year of the Reign of King George the Fourth, for the Relief of His Majesty's Roman Catholic Subjects," 28 Victoria (21 Mar., 1865), *PP*, 1865, IV, 375-8.

NOTE: not enacted.

REFERRED TO: 35

"A Bill to Allow the Charging of the Excise Duty on Malt According to the Weight of the Grain Used," 28 Victoria (19 May, 1865), *PP*, 1865, III, 1-6.

NOTE: enacted as 28 & 29 Victoria, c. 66.

REFERRED TO: 31

"Report from the Select Committee on the Tenure and Improvement of Land (Ireland) Act, together with the Proceedings of the Committee, Minutes of Evidence, Appendix and Index" (23 June, 1865), *PP*, 1865, XI, 341-622.

REFERRED TO: 80

"Supplement to the Twenty-Fifth Annual Report of the Registrar-General of Births, Deaths, and Marriages in England," *PP*, 1865, XIII, 1-683.

REFERRED TO: 465

"Suggestions, by the Medical Officers of Health of the Metropolis, for Amendments Which They Deem Desirable, in the Existing Sanitary Acts," App. 10 of "The Seventh Report of the Medical Officer of the Privy Council, with Appendix," *PP*, 1865, XXVI, 528-32.

REFERRED TO: 500

"Memorandum of the Conference at the Foreign Office" (8 Feb., 1866). In "Correspondence Respecting the Extradition Treaty with France" (July 1866), *PP*, 1866, LXXVI, 389-91.

REFERRED TO: 122

"A Bill to Amend the Law Relating to Contagious or Infectious Diseases in Cattle and Other Animals," 29 Victoria (12 Feb., 1866), *PP*, 1866, I, 423-44.

NOTE: enacted as 29 Victoria, c.2.

REFERRED TO: 42-52 *passim*

"A Bill to Empower the Lord Lieutenant or Other Chief Governor or Governors of Ireland to Apprehend and Detain until the First Day of March One Thousand Eight Hundred and Sixty-Seven, Such Persons as He or They Shall Suspect of Conspiring against Her Majesty's Person and Government," 29 Victoria (16 Feb., 1866), *PP*, 1866, III, 121-4.

NOTE: enacted as 29 Victoria, c.1.

REFERRED TO: 52-4

"A Bill to Provide Better Dwellings for Artizans and Labourers," 29 Victoria (20 Feb., 1866), *PP*, 1866, I, 43-52.

NOTE: not enacted.

REFERRED TO: 274, 294

"A Bill to Extend the Elective Franchise for Cities and Boroughs in England and Wales," 29 Victoria (22 Feb., 1866), *PP*, 1866, II, 493-514.

NOTE: not enacted.

REFERRED TO: 84

"A Bill to Render Legal Marriage with a Deceased Wife's Sister," 29 Victoria (6 Mar., 1866), *PP*, 1866, III, 501-3.

NOTE: not enacted.

REFERRED TO: 26

"A Bill for the Better Settling the Real Estates of Intestates," 29 Victoria (13 Mar., 1866), *PP*, 1866, V, 29-32.

NOTE: not enacted.

REFERRED TO: 346

"A Bill to Extend the Right of Voting at Elections of Members of Parliament in England and Wales," 29 Victoria (13 Mar. 1866), *PP*, 1866, V, 87-100.

NOTE: "Gladstone's Reform Bill"; not enacted.

REFERRED TO: 54-69 *passim*, 87-90 *passim*, 171, 355

"A Bill to Amend and Consolidate the Law Relating to Bankruptcy in England, and to Abolish Imprisonment for Debt on Final Process," 29 Victoria (16 Apr., 1866), *PP*, 1866, I, 103-236.

NOTE: not enacted.

REFERRED TO: 187

"A Bill Further to Amend the Law Relating to the Tenure and Improvement of Land in Ireland," 29 Victoria (30 Apr., 1866), *PP*, 1866, V, 353-64.

NOTE: not enacted.

REFERRED TO: 75-83

"A Bill for the Redistribution of Seats," 29 Victoria (7 May, 1866), *PP*, 1866, V, 33-48.

NOTE: not enacted.

REFERRED TO: 84-6 *passim*, 469, 489, 538

"A Bill to Amend the Law Relating to the Public Health," 29 Victoria (6 June 1866), *PP*, 1866, IV, 375-9. See also the version as amended in Committee (29 June, 1866), below.

REFERRED TO: 500

- "Petition for Admission of Women to the Elective Franchise" (7 June, 1866), *Reports of the Select Committee of the House of Commons on Public Petitions, Session 1866*, 697.
REFERRED TO: 91
- "A Bill [as Amended by the Select Committee] to Provide Better Dwellings for Artizans and Labourers," 29 Victoria (18 June, 1866), *PP*, 1866, I, 53-72.
NOTE: not enacted.
REFERRED TO: 274, 294
- "A Bill [as Amended by the Select Committee and on Re-commitment] to Amend the Law Relating to the Public Health," 29 Victoria (29 June, 1866), *PP*, 1866, IV, 425-48.
NOTE: enacted as 29 & 30 Victoria, c. 90.
REFERRED TO: 114-15
- "A Bill Intituled An Act for the Amendment of the Law Relating to Treaties of Extradition," 29 & 30 Victoria (26 July, 1866), *PP*, 1866, III, 39-42.
NOTE: enacted as 29 & 30 Victoria, c. 121
REFERRED TO: 116, 117
- "Reports from the Select Committee on Metropolitan Local Government, etc.; together with the Proceedings of the Committee, Minutes of Evidence, and Appendix" (16 Apr. and 30 July, 1866), *PP*, 1866, XIII, 171-628.
REFERRED TO: 162, 163, 230
- "Report of the Jamaica Royal Commission, with Minutes of Evidence, and Appendix," *PP*, 1866, XXX, 489-531; XXXI, 1-1172.
REFERRED TO: 106-7
- "Returns of the Total Number of Voters in Every Borough and City in England and Wales in Which There Was a Contest at the Last Election . . .," *PP*, 1866, LVII, 747-9.
REFERRED TO: 62, 63
- "A Bill to Amend the Law of Libel, and Thereby to Secure More Effectually the Liberty of the Press," 30 Victoria (8 Feb., 1867), *PP*, 1867, III, 391-4.
NOTE: not enacted.
REFERRED TO: 194
- "A Bill to Provide Better Dwellings for Artizans and Labourers," 30 Victoria (12 Feb., 1867), *PP*, 1867, I, 109-28.
NOTE: not enacted.
REFERRED TO: 294
- "A Bill to Exempt Associations of Workmen from Certain Disabilities for a Limited Time," 30 Victoria (14 Feb., 1867), *PP*, 1867, I, 129-30.
NOTE: not enacted.
REFERRED TO: 144
- "A Bill to Provide for the Carrying into Effect Capital Punishments within Prisons," 30 Victoria (14 Feb., 1867), *PP*, 1867, I, 521-4.
NOTE: not enacted.
REFERRED TO: 272
- "A Bill for Regulating the Hours of Labour for Children, Young Persons, and Women Employed in Workshops; and for Other Purposes Relating Thereto," 30 Victoria (1 Mar., 1867), *PP*, 1867, III, 121-32.
NOTE: enacted as 30 & 31 Victoria, c. 146.
REFERRED TO: 238
- "A Bill [as Amended in Committee] for the Establishment in the Metropolis of Asylums for the Sick, Insane, and Other Classes of the Poor, and of Dispensaries; and for the Distribution over the Metropolis of Portions of the Charge for Poor Relief; and for Other

- Purposes Relating to Poor Relief in the Metropolis," 30 Victoria (7 Mar., 1867), *PP*, 1867, IV, 283-324.
 NOTE: enacted as 30 Victoria, c.6.
 REFERRED TO: 134, 136-43 *passim*
- "A Bill to Repeal Enactments Relating to Bankruptcy in England, and to Matters Connected Therewith," 30 Victoria (14 Mar., 1867), *PP*, 1867, I, 377-80.
 NOTE: not enacted.
 REFERRED TO: 187
- "A Bill Further to Amend the Laws Relating to the Representation of the People in England and Wales," 30 Victoria (18 Mar., 1867), *PP*, 1867, V, 521-46.
 NOTE: the Second Reform Bill. See also the version as amended in Committee (9 July, 1867), below.
 REFERRED TO: 143, 145, 146-51 *passim*, 164-5, 167-87 *passim*, 194-201 *passim*, 205-11 *passim*
- "Copy of the Proceedings of the Courts Martial Recently Held in Jamaica upon Ensign Cullen and Assistant-Surgeon Morris of Her Majesty's Service, Including the Findings of the Courts, and the Nature of the Sentences, if Any, Awarded to the Accused" (29 Mar., 1867), *PP*, 1867, XLII, 31-342.
 REFERRED TO: 218
- "A Bill to Amend the Act of the 21st Year of George the Third, Chapter Forty-nine. Intituled 'An Act for Preventing Certain Abuses and Profanations on the Lord's Day, Called Sunday,'" 30 Victoria (2 Apr., 1867), *PP*, 1867, VI, 367-70.
 NOTE: not enacted.
 REFERRED TO: 190-3
- "A Bill to Provide for the More Effectual Prevention of Corrupt Practices and Undue Influence at Parliamentary Elections," 30 Victoria (9 Apr., 1867), *PP*, 1867, II, 213-32.
 NOTE: not enacted.
 REFERRED TO: 148
- "A Bill for the Better and More Effectually Securing the Use of Certain Royal Parks and Gardens for the Enjoyment and Recreation of Her Majesty's Subjects," 30 Victoria (3 May, 1867), *PP*, 1867, IV, 63-6.
 NOTE: not enacted.
 REFERRED TO: 215-17, 237-8
- "Petition for Revision of Sentences Passed upon the Fenians" (3 May, 1867), *Reports from the Select Committee of the House of Commons on Public Petitions, Session 1867-68*, 223-4.
 REFERRED TO: 188-9
- "A Bill for the Establishment of Municipal Corporations within the Metropolis," 30 Victoria (21 May, 1867), *PP*, 1867, IV, 447-66.
 NOTE: not enacted.
 REFERRED TO: 162-5, 230, 273, 291
- "A Bill [as Amended by the Select Committee] for Confirming a Scheme of the Charity Commissioners for the Several Charities Founded by the Settlement and Will of Christopher Tancred of Whixley in the County of York. Esquire, Deceased," 30 & 31 Victoria (25 June, 1867), *PP*, 1867, VI, 381-4.
 NOTE: enacted as 34 & 35 Victoria, c.117.
 REFERRED TO: 206
- "A Bill [as Amended in Committee] Further to Amend the Laws Relating to the Representation of the People in England and Wales," 30 & 31 Victoria (9 July, 1867), *PP*, 1867, V, 547-80.

NOTE: the Second Reform Bill, enacted as 30 & 31 Victoria, c.102. See also the unamended version of the Bill (18 Mar., 1867), above.

REFERRED TO: 213, 232

"A Bill for Regulating the Hours of Labour for Children, Young Persons, and Women Employed in Workshops; and for Other Purposes Relating Thereto," 30 & 31 Victoria (16 July, 1867), *PP*, 1867, III, 133-47.

NOTE: enacted as 30 & 31 Victoria, c. 146.

REFERRED TO: 354

"A Bill to Continue Various Expiring Laws," 30 & 31 Victoria (26 July, 1867), *PP*, 1867, II, 733-6.

NOTE: enacted as 30 & 31 Victoria, c. 143.

REFERRED TO: 227-30

"A Bill for the Better Government of the Metropolis," 30 & 31 Victoria (6 Aug., 1867), *PP*, 1867, IV, 215-56.

NOTE: not enacted.

REFERRED TO: 163, 230-1, 273

"A Bill to Provide Better Dwellings for Artizans and Labourers," 31 Victoria (20 Nov., 1867), *PP*, 1867-68, I, 21-42.

NOTE: enacted as 31 & 32 Victoria, c. 130.

REFERRED TO: 238, 294

"A Bill for the Establishment of a Foreign Cattle Market for the Metropolis; and for Other Purposes Connected Therewith," 31 Victoria (5 Dec., 1867), *PP*, 1867-68, III, 387-94.

NOTE: not enacted.

REFERRED TO: 329, 331, 332

"Reports of the Commissioners Appointed to Inquire into the Organization and Rules of Trades Unions and Other Associations; together with Minutes of Evidence," *PP*, 1867, XXXII, 1-396.

REFERRED TO: 144

"Correspondence Respecting British and American Claims Arising out of the Late Civil War in the United States," *PP*, 1867, LXXIV, 1-48.

REFERRED TO: 244

"Correspondence Respecting the Grand Duchy of Luxemburg," *PP*, 1867, LXXIV, 449-92.

REFERRED TO: 225-6

"A Bill for the Amendment of the Representation of the People in Scotland," 31 Victoria (17 Feb., 1868), *PP*, 1867-68, IV, 583-616.

NOTE: enacted as 31 & 32 Victoria, c. 48.

REFERRED TO: 281-3

"A Bill to Provide for Carrying out of Capital Punishment within Prisons," 31 Victoria (20 Feb., 1868), *PP*, 1867-68, I, 261-6.

NOTE: enacted as 31 Victoria, c. 24.

REFERRED TO: 266-72 *passim*

"A Bill [as Amended in Committee] for Amending the Laws Relating to Election Petitions, and Providing More Effectually for the Prevention of Corrupt Practices at Elections," 31 Victoria (16 Mar., 1868), *PP*, 1867-68, II, 291-307.

NOTE: enacted as 31 & 32 Victoria, c. 125.

REFERRED TO: 262-5, 279-80, 300, 301-3, 306-10, 311-12, 313-14, 316-19, 326-8, 329-30, 343

"A Bill to Amend the Representation of the People in Ireland," 31 Victoria (19 Mar., 1868), *PP*, 1867-68, IV, 549-64.

NOTE: enacted as 31 & 32 Victoria, c. 49.

REFERRED TO: 288

"A Bill to Amend the Law with Respect to the Property of Married Women," 31 Victoria (21 Apr., 1868), *PP*, 1867-68, III, 375-8.

NOTE: not enacted.

REFERRED TO: 283-6, 379

"A Bill to Amend in Certain Respects the Act for the Better Government of India," 31 Victoria (23 Apr., 1868), *PP*, 1867-68, II, 479-82.

NOTE: not enacted.

REFERRED TO: 288-9, 296-7, 305-6

"A Bill to Amend the Laws Relative to the Coast and Deep Sea Fisheries of Ireland," 31 Victoria (30 Apr., 1868), *PP*, 1867-68, V, 205-20.

NOTE: not enacted.

REFERRED TO: 299

"A Bill for the Creation of a Corporation of London," 31 Victoria (7 May, 1868), *PP*, 1867-68, I, 347-96.

NOTE: not enacted.

REFERRED TO: 273-6 *passim*, 290-1

"A Bill to Provide for the Establishment of Municipal Corporations within the Metropolis," 31 Victoria (7 May, 1868), *PP*, 1867-68, III, 515-36.

NOTE: not enacted.

REFERRED TO: 273-6 *passim*, 290-5, 300-1, 349-50

"A Bill [as Amended in Committee and by the Select Committee] to Make Further Provision for the Good Government and Extension of Certain Public Schools in England," 31 Victoria (22 May, 1868), *PP*, 1867-68, IV, 317-36.

NOTE: enacted as 31 & 32 Victoria, c. 118.

REFERRED TO: 290, 298-9, 304

"A Bill Intituled An Act to Amend the Law Relating to Railways," 31 Victoria (28 May, 1868), *PP*, 1867-68, IV, 513-30.

NOTE: enacted as 31 & 32 Victoria, c. 119.

REFERRED TO: 328, 333

"A Bill to Amend the Law of Registration so Far as Relates to the Year 1868, and for Other Purposes Relating Thereto," 31 Victoria (11 June, 1868), *PP*, 1867-68, IV, 395-406.

NOTE: enacted as 31 & 32 Victoria, c. 58.

REFERRED TO: 289

"A Bill to Make Further Amendments in the Laws for the Relief of the Poor," 31 Victoria (23 June, 1868), *PP*, 1867-68, IV, 167-78.

NOTE: enacted as 31 & 32 Victoria, c. 122.

REFERRED TO: 312, 334

"Report of the Select Committee on Extradition" (6 July, 1868), *PP*, 1867-68, VII, 129-338.

REFERRED TO: 542-71

"Copy of the Minute of the Lords of the Committee of Council on Education Relating to Scientific Instruction; and Explanatory Memorandum Thereon," *PP*, 1867-68, LIV, 17-22.

NOTE: the reference is anticipatory.

REFERRED TO: 217-18

"Further Correspondence Respecting British and American Claims Arising out of the Late Civil War in the United States," *PP*, 1867-68, LXXIII, 1-10.

REFERRED TO: 244

- "A Bill to Enable Owners and Occupiers of Property in Certain Districts to Prevent the Common Sale of Intoxicating Liquors within Such Districts," 32 Victoria (22 Feb., 1869), *PP*, 1868-69, IV, 285-90.
NOTE: the reference is general.
REFERRED TO: 340, 344
- "A Bill to Amend the Law with Respect to the Property of Married Women," 32 Victoria (25 Feb., 1869), *PP*, 1868-69, III, 427-30.
NOTE: not enacted.
REFERRED TO: 379
- "A Bill to Amend the Law Relating to Trade Combinations and Trade Unions," 32 Victoria (9 Apr., 1869), *PP*, 1868-69, V, 323-8.
NOTE: not enacted.
REFERRED TO: 341
- "Treaty between Great Britain and Spain, Respecting Quedah" (6 May, 1869), *British and Foreign State Papers*, LIX (1868-69), 1147-50.
REFERRED TO: 560-1
- "Report from the Select Committee on the Inclosure Act; together with the Proceedings of the Committee, Minutes of Evidence, and Appendix" (7 July, 1869), *PP*, 1868-69, X, 327-505.
REFERRED TO: 427
- "A Bill to Remove the Electoral Disabilities of Women," 33 Victoria (16 Feb., 1870), *PP*, 1870, IV, 799.
NOTE: not enacted.
REFERRED TO: 391
- "A Bill to Provide for Public Elementary Education in England and Wales," 33 Victoria (17 Feb., 1870), *PP*, 1870, I, 505-42.
NOTE: enacted as 33 & 34 Victoria, c. 75.
REFERRED TO: 381-6, 391-2
- "A Bill to Amend the Law Relating to Inclosures of Commons, and to Provide for the Management of Commons Situate near Towns," 34 Victoria (14 Feb., 1871), *PP*, 1871, II, 377-96.
NOTE: not enacted.
REFERRED TO: 420-1
- "A Bill for the Better Regulation of the Regular and Auxiliary Land Forces of the Crown; and for Other Purposes Relating Thereto," 34 & 35 Victoria (16 Feb., 1871), *PP*, 1871, I, 11-38.
NOTE: enacted as 34 & 35 Victoria, c. 86
REFERRED TO: 411-15
- "Report of the Royal Commission upon the Administration and Operation of the Contagious Diseases Acts," *PP*, 1871, XIX, 3-20.
REFERRED TO: 411
- "Army Estimates of Effective and Non-Effective Services, for 1871-72," *PP*, 1871, XXXVIII, 1-194.
REFERRED TO: 412
- "Royal Warrant, Dated 20th July 1871, to Cancel and Determine All Regulations Authorizing the Purchase or Sale or Exchange for Money of Commissions in the Army, from the 1st November, 1871," *PP*, 1871, XXXIX, 601.
REFERRED TO: 412

STATUTES

- 12 Charles II, c. 24. An Act for Taking away the Court of Wards and Liveries, and Tenures *in capite*, and by Knights-Service, and Purveyance, and for Settling a Revenue upon His Majesty in Lieu Thereof (1660).
REFERRED TO: 417
- 18 Charles II, c. 2. An Act against Importing Cattle from Ireland and Other Parts beyond the Seas, and Fish Taken by Foreigners (1666).
REFERRED TO: 251
- 25 Charles II, c. 2. An Act for Preventing Dangers Which May Happen from Popish Recusants (1672).
NOTE: the first Test Act.
REFERRED TO: 250
- 30 Charles II, 2nd sess., c. 1. An Act for the More Effectual Preserving the King's Person and Government, by Disabling Papists from Sitting in Either House of Parliament (1677) [1678].
NOTE: the second Test Act.
REFERRED TO: 250
- 1 William and Mary, c. 32. An Act for the Better Preventing the Exportation of Wooll, and Encouraging the Woollen Manufactures of This Kingdom (1688).
REFERRED TO: 251
- 2 William and Mary, Sess. 1, c. 8. For Reversing the Judgment in a *Quo Warranto* against the City of London, and for Restoring the City of London to Its Ancient Rights and Privileges (1689).
REFERRED TO: 444
- 4 William and Mary, c. 1. An Act for Granting to Their Majesties an Aid of Four Shillings in the Pound for One Year, for Carrying on a Vigorous War against France (1692).
REFERRED TO: 417
- 7 & 8 William III, c. 27. An Act for the Better Security of His Majesty's Royal Person and Government (1696).
REFERRED TO: 250
- 8 & 9 William III, c. 21. An Act for Laying a Duty upon Leather for the Term of Three Years (1697).
NOTE: the reference is inferred.
REFERRED TO: 251
- 10 & 11 William III, c. 10. An Act to Prevent the Exportation of Wooll out of the Kingdom of Ireland and England into Foreign Parts; and for the Encouragement of the Woollen Manufactures in the Kingdom of England (1699).
REFERRED TO: 251
- 4 George II, c. 28. An Act for the More Effectual Preventing of Frauds Committed by Tenants, and for the More Easy Recovery of Rents, and Renewal of Leases (24 June, 1731).
REFERRED TO: 357-8
- 33 George III, c. 4. An Act for Establishing Regulations Respecting Aliens Arriving in This Kingdom or Resident Therein, in Certain Cases (1793).
REFERRED TO: 563
- 39 & 40 George III, c. 67. An Act for the Union of Great Britain and Ireland (2 July, 1800).
REFERRED TO: 250, 251

- 41 George III, c. 109. An Act for Consolidating in One Act Certain Provisions Usually Inserted in Acts of Inclosure; and for Facilitating the Mode of Proving the Several Acts Usually Required on the Passing of Such Acts (2 July, 1801).
 REFERRED TO: 427
- 55 George III, c. 26. An Act to Amend the Laws Now in Force for Regulating the Importation of Corn (23 Mar., 1815).
 REFERRED TO: 57, 64, 67, 321
- 60 George III & 1 George IV, c. 9. An Act to Subject Certain Publications to the Duties of Stamps upon Newspapers, and to Make Other Regulations for Restraining the Abuses Arising from the Publication of Blasphemous and Seditious Libels (30 Dec., 1819).
 REFERRED TO: 287
- 3 George IV, c. 60. An Act to Amend the Laws Relating to the Importation of Corn (15 July, 1822).
 REFERRED TO: 57, 64, 67, 321
- 7 & 8 George IV, c. 57. An Act to Permit, until 1st May, 1828, Certain Corn, Meal, and Flour to Be Entered for Home Consumption (2 July, 1827).
 REFERRED TO: 57, 64, 67, 321
- 9 George IV, c. 17. An Act for Repealing So Much of Several Acts as Imposes the Necessity of Receiving the Sacrament of the Lord's Supper as a Qualification for Certain Offices and Employments (9 May, 1828).
 REFERRED TO: 67, 75
- 9 George IV, c. 60. An Act to Amend the Laws Relating to the Importation of Corn (15 July, 1828).
 REFERRED TO: 57, 64, 67, 321
- 10 George IV, c. 7. An Act for the Relief of His Majesty's Roman Catholic Subjects (13 Apr., 1829).
 REFERRED TO: 52, 67, 75, 249, 251
- 10 George IV, c. 44. An Act for Improving the Police in and near the Metropolis (19 June, 1829).
 REFERRED TO: 293
- 1 & 2 William IV, c. 32. An Act to Amend the Laws in England Relative to Game (5 Oct., 1831).
 REFERRED TO: 331
- 2 & 3 William IV, c. 45. An Act to Amend the Representation of the People in England and Wales (7 June, 1832).
 NOTE: the First Reform Act.
 QUOTED: 500
 REFERRED TO: 57, 63, 64, 111, 295, 461
- 2 & 3 William IV, c. 62. An Act for Abolishing the Punishment of Death in Certain Cases, and Substituting a Lesser Punishment in Lieu Thereof (11 July, 1832).
 REFERRED TO: 267
- 3 & 4 William IV, c. 103. An Act to Regulate the Labour of Children and Young Persons in the Mills and Factories of the United Kingdom (29 Aug., 1833).
 REFERRED TO: 394
- 4 & 5 William IV, c. 76. An Act for the Amendment and Better Administration of the Laws Relating to the Poor in England and Wales (14 Aug., 1834).
 REFERRED TO: 136, 139, 451, 463, 464, 529, 535
- 5 & 6 William IV, c. 76. An Act to Provide for the Regulation of Municipal Corporations in England and Wales (9 Sept., 1835).
 REFERRED TO: 295, 308, 451, 456

6 & 7 William IV, c. 86. An Act for Registering Births, Deaths, and Marriages in England (17 Aug., 1836).

REFERRED TO: 293

6 & 7 William IV, c. 115. An Act for Facilitating the Inclosure of Open and Arable Fields in England and Wales (20 Aug., 1836).

REFERRED TO: 427

1 Victoria, c. 2. An Act for the Support of Her Majesty's Household, and of the Honour and Dignity of the Crown of the United Kingdom of Great Britain and Ireland (23 Dec., 1837).

REFERRED TO: 215

1 & 2 Victoria, c. 109. An Act to Abolish Composition for Tithes in Ireland, and to Substitute Rent-charges in Lieu Thereof (15 Aug., 1838).

REFERRED TO: 252

2 & 3 Victoria, c. 47. An Act for Further Improving the Police in and near the Metropolis (17 Aug., 1839).

REFERRED TO: 529

3 & 4 Victoria, c. 29. An Act to Extend the Practice of Vaccination (23 July, 1840).

REFERRED TO: 449

3 & 4 Victoria, c. 96. An Act for the Regulation of the Duties of Postage (10 Aug., 1840).

REFERRED TO: 64

5 & 6 Victoria, c. 102. An Act for the Better Discovery and Prevention of Bribery and Treating at the Election of Members of Parliament (10 Aug., 1842).

REFERRED TO: 148, 280

5 & 6 Victoria, sess. 2, c. 14. An Act to Amend the Laws for the Importation of Corn (29 Apr., 1842).

REFERRED TO: 57, 64, 67, 321

6 Victoria, c. 18. An Act to Amend the Law for the Registration of Persons Entitled to Vote, and to Define Certain Rights of Voting, and to Regulate Certain Proceedings in the Election of Members to Serve in Parliament for England and Wales (31 May, 1843).

REFERRED TO: 60, 319

6 & 7 Victoria, c. 75. An Act for Giving Effect to a Convention between Her Majesty and the King of the French for the Apprehension of Certain Offenders (22 Aug., 1843).

QUOTED: 121

REFERRED TO: 116, 117, 120-3 *passim*

121.18 It] [*no paragraph*] And . . . it

121.18 peace, having] peace, or other person having

121.18 trial, to] trial persons accused of crimes against the laws of that part of Her Majesty's dominions in which such supposed offender shall be found, to

121.20 law] laws

121.21 committal of the person accused] committal for trial of the person so accused

121.21 crime had] crime of which he or she shall be so accused had

121.22-3 for the magistrate to commit the prisoner into the custody of the officers of the Power so demanding him.] for such justice of the peace, or other person having power to commit as aforesaid, to issue his warrant for the apprehension of such person, and also to commit the person so accused to gaol, there to remain until delivered pursuant to such requisition as aforesaid.

8 & 9 Victoria, c. 21 (Private and Local Acts). An Act for Better Ascertaining and Collecting the Poor and Other Rates in the Parish of Battersea (1845).

REFERRED TO: 515-16, 521

8 & 9 Victoria, c. 25. An Act to Amend Two Acts Passed in Ireland for the Better Education of Persons Professing the Roman-Catholic Religion, and for the Better Government of the College Established at Maynooth for the Education of Such Persons; and also An Act

Passed in the Parliament of the United Kingdom for Amending Said Two Acts (30 June, 1845).

REFERRED TO: 18, 31

8 & 9 Victoria, c. 118. An Act to Facilitate the Inclosure and Improvement of Commons and Lands Held in Common, the Exchange of Lands, and the Division of Intermixed Lands: to Provide Remedies for Defective or Incomplete Executions, and for the Nonexecution of the Powers of General and Local Inclosure Acts; and to Provide for the Revival of Such Powers in Certain Cases (8 Aug., 1845).

REFERRED TO: 420, 427

8 & 9 Victoria, c. 120. An Act for Facilitating Execution of the Treaties with France and the United States of America, for the Apprehension of Certain Offenders (8 Aug., 1845).

REFERRED TO: 116, 117, 120-3 *passim*

9 & 10 Victoria, c. 22. An Act to Amend the Laws Relating to the Importation of Corn (26 June, 1846).

REFERRED TO: 57, 64, 67, 321

9 & 10 Victoria, c. 95. An Act for the More Easy Recovery of Small Debts and Demands in England (28 Aug., 1846).

REFERRED TO: 293

11 & 12 Victoria, c. 43. An Act to Facilitate the Performance of the Duties of Justices of the Peace out of Sessions, within England and Wales, with Respect to Summary Convictions and Orders (14 Aug., 1848).

REFERRED TO: 333

11 & 12 Victoria, c. 63. An Act for Promoting the Public Health (31 Aug., 1848).

REFERRED TO: 529

12 & 13 Victoria, c. 29. An Act to Amend the Laws in Force for the Encouragement of British Shipping and Navigation (26 June, 1849).

REFERRED TO: 64

12 & 13 Victoria, c. 77. An Act Further to Facilitate the Sale and Transfer of Incumbered Estates in Ireland (28 July, 1849).

REFERRED TO: 52, 253

13 & 14 Victoria, c. 65. An Act for Enabling Town Councils to Establish Public Libraries and Museums (14 Aug., 1850).

REFERRED TO: 395

13 & 14 Victoria, c. 69. An Act to Amend the Laws Which Regulate the Qualification and Registration of Parliamentary Voters in Ireland, and to Alter the Law for Rating Immediate Lessors of Premises to the Poor Rate in Certain Boroughs (14 Aug., 1850).

REFERRED TO: 60

14 & 15 Victoria, c. 28. An Act for the Well-Ordering of Common Lodging Houses (24 July, 1851).

REFERRED TO: 445, 500

15 & 16 Victoria, c. 31. An Act to Legalize the Formation of Industrial and Provident Societies (30 June, 1852).

REFERRED TO: 29

15 & 16 Victoria, c. 50. An Act to Consolidate and Amend the Laws Relating to the Militia in England (30 June, 1852).

REFERRED TO: 293

15 & 16 Victoria, c. 84. An Act to Make Better Provision Respecting the Supply of Water to the Metropolis (1 July, 1852).

REFERRED TO: 447, 463

16 & 17 Victoria, c. 99. An Act to Substitute, in Certain Cases, Other Punishment in Lieu of Transportation (20 Aug., 1853).

REFERRED TO: 272

17 & 18 Victoria, c. 102. An Act to Consolidate and Amend the Laws Relating to Bribery, Treating, and Undue Influence at Elections of Members of Parliament (10 Aug., 1854).

REFERRED TO: 148, 317

18 & 19 Victoria, c. 63. An Act to Consolidate and Amend the Law Relating to Friendly Societies (23 July, 1855).

REFERRED TO: 144

18 & 19 Victoria, c. 116. An Act for the Better Prevention of Diseases (14 Aug., 1855).

REFERRED TO: c.1.1779, 1785, 1831, 2184

18 & 19 Victoria, c. 120. An Act for the Better Local Management of the Metropolis (14 Aug., 1855).

REFERRED TO: 163, 275, 294, 295, 437-542 *passim*

18 & 19 Victoria, c. 121. An Act to Consolidate and Amend the Nuisances Removal and Diseases Prevention Acts, 1848 and 1849 (14 Aug., 1855).

REFERRED TO: 445-6, 451, 462-3, 488, 509

18 & 19 Victoria, c. 122. An Act to Amend the Laws Relating to the Construction of Buildings in the Metropolis and Its Neighbourhood (14 Aug., 1855).

REFERRED TO: 293

19 Victoria, c. 10. An Act for Punishing Mutiny and Desertion, and for the Better Payment of the Army and Their Quarters (14 Mar., 1856).

NOTE: the quotation and reference are illustrative.

QUOTED: 113

REFERRED TO: 263

19 & 20 Victoria, c. 58. An Act to Amend the Law for the Registration of Persons Entitled to Vote in the Election of Members to Serve in Parliament for Burghs in Scotland (21 July, 1856).

REFERRED TO: 60

19 & 20 Victoria, c. 120. An Act to Facilitate Leases and Sales of Settled Land (29 July, 1856).

REFERRED TO: 417, 418

20 & 21 Victoria, c. 85. An Act to Amend the Law Relating to Divorce and Matrimonial Causes in England (28 Aug., 1857).

REFERRED TO: 285

20 & 21 Victoria, c. 150 (Local and Private Acts). An Act for Enabling the Metropolitan Board of Works to Form a Park for the Northern Suburbs of the Metropolis, to be Called Finsbury Park (1857).

REFERRED TO: 511

21 & 22 Victoria, c. 49. An Act to Provide for the Relief of Her Majesty's Subjects Professing the Jewish Religion (23 July, 1858).

REFERRED TO: 67, 337

23 Victoria, c. 22. An Act to Amend the Laws Relating to the Customs (15 May, 1860).

REFERRED TO: 64

23 & 24 Victoria, c. 84. An Act for Preventing the Adulteration of Articles of Food or Drink (6 Aug., 1860).

REFERRED TO: 445-6, 451, 462-3

23 & 24 Victoria, c. 125. An Act for Better Regulating the Supply of Gas to the Metropolis (28 Aug., 1860).

REFERRED TO: 445-6, 451, 454, 462-3

- 24 Victoria, c. 14. An Act to Grant Additional Facilities for Depositing Small Savings at Interest, with the Security of the Government for Due Repayment Thereof (17 May, 1861).
REFERRED TO: 360, 365
- 24 Victoria, c. 20. An Act to Continue Certain Duties of Customs and Inland Revenue for the Service of Her Majesty, and to Alter and Repeal Certain Other Duties (12 June, 1861).
REFERRED TO: 360, 365
- 24 & 25 Victoria, c. 100. An Act to Consolidate and Amend the Statute Law of England and Ireland Relating to Offences against the Person (6 Aug., 1861).
REFERRED TO: 108, 272
- 25 & 26 Victoria, c. 47. An Act to Authorize the Inclosure of Certain Lands in Pursuance of a Report of the Inclosure Commissioners for England and Wales (29 July, 1862).
REFERRED TO: 74
- 25 & 26 Victoria, c. 110. An Act to Enable Boards of Guardians of Certain Unions to Obtain Temporary Aid to Meet the Extraordinary Demands for Relief Therein (7 Aug., 1862).
REFERRED TO: 349
- 26 & 27 Victoria, c. 44. An Act for the Further Security of the Persons of Her Majesty's Subjects from Personal Violence (13 July, 1863).
REFERRED TO: 272
- 27 & 28 Victoria, c. 43. An Act to Grant Additional Facilities for the Purchase of Small Government Annuities, and for Assuring Payments of Money on Death (14 July, 1864).
REFERRED TO: 360, 365
- 27 & 28 Victoria, c. 85. An Act for the Prevention of Contagious Diseases at Certain Naval and Military Stations (29 July, 1864).
REFERRED TO: 388, 411
- 28 Victoria, c. 11. An Act for Punishing Mutiny and Desertion, and for the Better Payment of the Army and Their Quarters (7 Apr., 1865).
REFERRED TO: 112-13
- 28 Victoria, c. 36. An Act to Amend the Law Relating to the Registration of County Voters, and to the Powers and Duties of Revising Barristers in Certain Cases (2 June, 1865).
REFERRED TO: 60
- 28 & 29 Victoria, c. 63. An Act to Remove Doubts as to the Validity of Colonial Laws (29 June, 1865).
REFERRED TO: 64
- 28 & 29 Victoria, c. 66. An Act to Allow the Charging of the Excise Duty on Malt According to the Weight of the Grain Used (29 June, 1865).
REFERRED TO: 31
- 28 & 29 Victoria, c. 79. An Act to Provide for the Better Distribution of the Charge for the Relief of the Poor in Unions (29 June, 1865).
REFERRED TO: 464
- 28 & 29 Victoria, c. 90. An Act for the Establishment of a Fire Brigade within the Metropolis (5 July, 1865).
REFERRED TO: 447
- 29 Victoria, c. 2. An Act to Amend the Law Relating to Contagious or Infectious Diseases in Cattle and Other Animals (20 Feb., 1866).
REFERRED TO: 64
- 29 Victoria, c. 19. An Act to Amend the Law Relating to Parliamentary Oaths (30 Apr., 1866).
REFERRED TO: 337

29 Victoria, c. 35. An Act for the Better Prevention of Contagious Diseases at Certain Naval and Military Stations (11 June, 1866).

NOTE: superseded the first Contagious Diseases Act: 27 & 28 Victoria, c. 85.

REFERRED TO: 388-9, 411

29 & 30 Victoria, c. 121. An Act for the Amendment of the Law Relating to Treaties of Extradition (10 Aug., 1866).

REFERRED TO: 116, 117, 122, 123, 543, 544-5, 554, 562, 570

30 Victoria, c. 6. An Act for the Establishment in the Metropolis of Asylums for the Sick, Insane, and Other Classes of the Poor, and of Dispensaries; and for the Distribution over the Metropolis of Portions of the Charge for Poor Relief; and for Other Purposes Relating to Poor Relief in the Metropolis (29 Mar., 1867).

REFERRED TO: 334

30 & 31 Victoria, c. 102. An Act Further to Amend the Laws Relating to the Representation of the People in England and Wales (15 Aug., 1867).

NOTE: the Second Reform Act.

REFERRED TO: 273, 282, 288, 291, 313, 317, 320, 336, 337, 338-9, 343, 346, 347, 355-6, 359, 368

30 & 31 Victoria, c. 146. An Act for Regulating the Hours of Labour for Children, Young Persons, and Women Employed in Workshops; and for Other Purposes Relating Thereto (21 Aug., 1867).

REFERRED TO: 238, 354

31 & 32 Victoria, c. 109. An Act for the Abolition of Compulsory Church Rates (31 July, 1868).

REFERRED TO: 337

32 & 33 Victoria, c. 42. An Act to Put an End to the Establishment of the Church of Ireland, and to Make Provision in Respect of the Temporalities Thereof, and in Respect of the Royal College of Maynooth (26 July, 1869).

REFERRED TO: 382

32 & 33 Victoria, c. 96. An Act to Amend the Contagious Diseases Act, 1866 (11 Aug., 1869).

REFERRED TO: 388-9, 411

33 & 34 Victoria, c. 75. An Act to Provide for Public Elementary Education in England and Wales (9 Aug., 1870).

NOTE: the references at 381-6 and 391-2 are to the Bill which, when enacted, became this statute.

REFERRED TO: 381-6, 391-2, 397, 399-400, 401

FRENCH STATUTES

Instruction de l'Assemblée nationale, sur la contribution foncière (22 and 23 Nov., 1790), *Lois, et actes du gouvernement*, II, 183-221.

REFERRED TO: 442

Loi relative aux domaines nationaux, aux concessions et échanges qui ont été faits, et aux apanages (1 Dec., 1790), *Lois, et actes du gouvernement*, II, 163-73.

REFERRED TO: 442

Loi concernant la contribution foncière (1 Dec., 1790), *Lois, et actes du gouvernement*, II, 173-83.

REFERRED TO: 442

Décret de l'Assemblée nationale du 13 janvier 1791, sur la contribution mobilière, *Archives parlementaires*, XXII (13 Jan., 1791), 169-72.

REFERRED TO: 540

Code civil des Français. Paris: Imprimerie de la république, 1804.

REFERRED TO: 274

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NOTE: separately paginated, 1-383, with index 1-80. The "Bulletins *bis*" are not included in their numerical places in the annual volumes, but are gathered, for each period, in a separate volume.

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NOTE: separately paginated, 1-120, without index. See note to Code Napoléon (1807).

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IRISH STATUTES

38 George III, c. 19. An Act for Indemnifying Such Persons as Have Acted since the Third Day of July, in the Year One Thousand Seven Hundred and Ninety-Seven, for the Preservation of the Public Peace, and Suppression of the Insurrections Prevailing in Some Parts of This Kingdom (6 Oct., 1798).

NOTE: the quotation, which is not exact, is in a quotation from *State Trials*.

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