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THE POLITICAL CAREER OF HENRY, THIRD
EARL GREY (1826 - 52).

by

R. JOB.

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degree of M.Litt.

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As the third Earl's papers have not yet been finally catalogued, and present box numbers, etc. are liable to be changed, I have refrained from specifying such in my footnote references.

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THE POLITICAL CAREER OF HENRY, THIRD EARL GREY (1826-52).

Introduction.

Henry George, third Earl Grey, was born on 28th December, 1802. His life was to span practically the whole of the nineteenth century, his death not occurring till October, 1894. For much of his life he was interested in politics, and it is mainly for his work as a politician that his name has, in some degree, come down to posterity. His political life was by no means over in 1852, for many years later he was still actively concerned in his country's affairs; for example, he strongly opposed Gladstone's Home Rule policy of 1885-6. Nevertheless there are reasons for concluding this study in 1852. Entering Parliament in 1826, he served his apprenticeship in politics first as a humble member of the House of Commons, then as a junior member of his father's Ministry (holding the posts of Under-Secretary to the Colonial and the Home Offices). His next step was a Cabinet post, the office of Secretary at War. Finally came the apex of his political career, when he held the Colonial Office from 1846 to 1852. So far he had ascended the path to political eminence in a regular progression, but after 1852 there is a sense of anti-climax, for he was never to hold a post within a government again.

In those vital, formulative years of youth Henry Grey was very fortunate. Good fortune smiled upon him in that he benefited from a happy family atmosphere at Howick Hall, his father's seat in Northumberland. His father was one of the most eminent

figures in politics, and as a result of the Reform Act was to become a readily remembered nineteenth century Prime Minister. Not only was Charles, second Earl Grey, a noted politician, a friend of Charles Fox; he was also a large landowner in the county of Northumberland. Thus he possessed the requisite qualifications for an important position in society; he was aristocratic by birth, his wealth came from large estates, and he was talented. The assets of the father, and his influence in society, were of enormous advantage to the son.

Unlike many of his well-known contemporaries, Henry Grey never went to a public school; instead, he was tutored at home, his father having vowed never to send any of his children to such institutions, being convinced from his own sojourn at Eton that nothing was to be learnt there that could not be acquired in a better atmosphere elsewhere. In due course, Henry Grey, usually known by his courtesy title of Viscount Howick, proceeded to Cambridge, where he entered his father's old college, Trinity. His contemporaries at Cambridge included Macaulay (one year senior to him), Charles Villiers (the advocate in later life of the repeal of the Corn Laws), and Charles Austin (the brilliant debater and the exponent of Utilitarian theories). It was doubtless at Cambridge that Howick became acquainted with what were to become the dominant ideas of the nineteenth century, in particular economic theories (with special reference to free trade), and a new concept of the rule of the Mother Country "vis a vis" her colonies. One glimpse of this early

period confirms this; in a letter of February, 1823, to his father, he describes a Union debate in which Macaulay, Austin and every other speaker united to condemn the colonial policy of the country.

After Cambridge, came another important phase in the education of a peer's son, foreign travel. By July, 1823, Howick had taken up his residence in Switzerland, moving to Paris in December. At Paris, so he informed his father, no evening passed without being invited out to dinner or to a party. In a more serious vein we find him hoping to hear some of the debates in the Chamber of Deputies, and failing in an attempt to procure information requested by Earl Grey on the state of the French navy. It was while he was abroad that there began the series of events which were to lead to the commencement of his political career.

CHAPTER 1.The Northumberland Election of 1826, and his early apprenticeship in Parliament (1826-1830).

In the early nineteenth century, as in its predecessor, the most honourable way of entering Parliament was by coming in as the representative of a county, the choice of the Landed Interest (still regarded as the most potent and respectable section of the community). At the opposite end of the scale there were of course the pocket boroughs in the gift of an individual, a less praiseworthy, but often a less expensive means of entrance, which had been utilized by some of the Country's most famous statesmen.

At the beginning of 1823 Northumberland had as her representatives C.J. Brandling of Gosforth House and T.W. Beaumont of Bywell Hall. Brandling was a Tory; Beaumont, from being a one time president of the Pitt Club, represented the Whig interest, though he was more of a Radical than an orthodox Whig.

Relations between Earl Grey and Beaumont had once been very cordial, so much so, that the former had contemplated the latter as a possible husband for one of his daughters. (1) Whatever cordiality remained in 1823 was shattered by a letter of August 29th, written by Beaumont to Grey. (2) This letter, - subsequently published by Grey in 1826 as proof of his assertion

(1) Monck to Earl Grey, Sept. 29th, 1825.

(2) Printed in 'Northumberland Election Papers for Summer 1826' Vol. III.

that Beaumont was an unfit person to represent the county - accused Grey ~~of~~ having had an adulterous connection with Lady Swinburne (mother of the girl Beaumont was hoping to marry). It is indeed a strange letter, and seems to justify Grey's conclusion that at the time of writing Beaumont was labouring under some form of mental delusion. Grey denied the charge, and when Beaumont offered an apology the incident was temporarily closed.

Apart from arousing the enmity of Earl Grey towards Beaumont, this episode had another result. Sir Matthew White Ridley, M.P. for Newcastle informed Earl Grey that Beaumont, overwhelmed by private worries (his engagement to Miss Swinburne was off), was likely to apply for the Chiltern Hundreds. Ridley suggested that Howick would be a suitable candidate to fill the vacancy. Earl Grey's reaction was favourable, and Howick - then in Switzerland - was informed of what was afoot. (3)

One Whig who would have a better claim to represent the county than the young inexperienced Howick was Sir Charles Monck of Belsay, a former choice of the county, and a man of great political experience. He had retired from politics in order to attend to his private affairs. If Monck were to come forward to replace Beaumont, then any idea of Howick's candidature would have to be abandoned, as Monck would command the allegiance of the Whig families in the county and the support of some of their

(3) Ridley to Grey. August 25, 1823.

political opponents, Earl Grey was on close terms of friendship with Monck and wrote to enquire whether the latter would come forward should Beaumont vacate his seat. Monck replied that private considerations prevented him from contesting the county, and offered to support Howick in the event of a vacancy. The only other possible candidate was Bigge, a Whig but disqualified as a county representative in Monck's eyes because he was not free from commercial taint, being a partner in a Newcastle Bank. Howick on the other hand was the son of a great landowner. (4)

However, there was to be no election at this time. Beaumont decided against resigning. 1824 witnessed a further deterioration in the relations between Earl Grey and Beaumont; the former was threatened with a legal action for expressing the opinion that Beaumont was mad. Again it seemed as though Beaumont was about to resign his seat. It was now known that if Monck's private affairs improved he would have no objection to his name being considered as a candidate in an election; therefore, the leading Whigs were not eager to provoke a contest at this stage, but to postpone it until Monck was ready to come forward. Perhaps they had something to do with Beaumont's final decision against resigning in 1824. It is not difficult to see why the Northumbrian Whigs preferred Monck to Howick; the former was an experienced parliamentarian, the latter had merely his father's name as a recommendation. In addition it was not

(4) Monck to Grey. October 20, 1823.

known how far Earl Grey would commit himself financially should there be a disputed election, and the Whigs were loath to contribute amongst themselves to return a totally inexperienced person to Parliament.

Towards the close of 1825 it was obvious that the time was approaching for a General Election. For this Earl Grey was determined to bring his son forward as a candidate for the county. Howick was now in Northumberland and was in receipt of a regular correspondence from his father at Devonport, who advised him as to the steps to be taken to forward his candidature.

For a variety of considerations Earl Grey would have preferred to have his son brought in for a pocket borough. A county election would be uncertain as to its outcome; indeed from what he knew of the disposition of some of the Whig gentry his son's election did not seem probable. The attitude of Monck gave cause for alarm; not only was there the possibility that he might himself stand, but he was also objecting to any attempt made by Grey to make use of the services of Lord Lambton, Howick's brother-in-law, who was in Monck's eyes a 'foreigner' who had no business to interfere in a Northumbrian election, Lambton being primarily a Durham landowner. Then there was the question of expense. Therefore, he encouraged Howick to cultivate the acquaintance of those with boroughs at their disposal.

On February 1st, 1826, the totally unexpected happened. C.J. Brandling of Gosforth Hall, member of parliament for Northumberland, died. Now the county was faced with two elections, a by-election, with the General Election a mere matter of months behind it. Howick, on receipt of the news of Brandling's death, acted promptly; he decided to put an advertisement in the Newcastle papers announcing his intention of coming forward as a candidate. First, however, he paid a visit to the Duke of Northumberland, the county's richest landowner and a Tory in politics; to Howick's satisfaction he learnt that the Duke intended to remain neutral in the present contest. The ducal purse would not be employed against the Greys.

A second candidate for the vacancy, this time in the Tory interest, was H. T. Liddell of Eslington. Liddell's father, Lord Ravensworth, had the reputation for being closely attached to the interests of the Court. The bulk of Lord Ravensworth's lands lay in Durham, so that Liddell was open to a charge of being an intruder in Northumbrian affairs.

Earl Grey was pleased by Howick's prompt action, but the latter soon committed a grave error of judgment. On February 4th, he entered into an agreement with Liddell; that sort of compromise between two candidates which when known had led to cries of depriving the electors of their free choice, and had

often lost a candidate more votes than he gained by it. Howick undertook to withdraw before the day of the election, provided Liddell would not be hostile to him at the General Election. By the final agreement both stated that they would not be hostile to each other at the General Election, and where electors were inclined to divide their votes between them they would not ask for plumpers (a plumper being where an elector's second vote is unused, instead of being given to another candidate). (5)

Earl Grey immediately saw the folly of making such an agreement. If Howick withdrew from the present contest and Liddell triumphed, the independent freeholders would immediately conclude that an agreement had been reached by two peers for dictating the choice of the county. This could cause a great outcry, and lose Howick much support; the accusation would benefit such people as Monck or Beaumont. At the same time Earl Grey once more referred to the subject of expense:-

'.... I could not, with justice to my family, commit myself to a greater extent than £5,000 at the utmost.' (6)

Howick's reason for deciding to withdraw from the contest was the fact that Liddell had reacted even more swiftly to the news of Brandling's death than he had himself. Liddell had been four hours in Alnwick before Howick arrived to canvass,

(5) Howick to Earl Grey, February 4th, 1826.

(6) Earl Grey to Howick. February 6th, 1826.

and had sent off agents all over the neighbourhood. In addition there was a general feeling amongst the electors against having two Whig members for the county; Northumberland would be more fairly represented by having a member of each political party in Parliament. Howick had also not wished to antagonise the Tories, who would he thought, as a result of his action, be willing to split their votes with him at the General Election. Nevertheless the rumours of a coalition worked harm amongst Howick's Whig supporters. Taking the most favourable view of the situation it seemed to the Whigs merely to confirm their views as to Howick's great inexperience.

Fortunately for Howick's relations with the leading Whigs, the prospect of Liddell's return was diminished when another Tory entered the field. Matthew Bell of Woolsington was a nephew of the late member; his candidature was decided upon by those Tory gentlemen who disliked the idea of having as a member a person they conceived to be a Durham man. As Bell was wealthy, a relative of Brandling, and a native of Northumberland, it now seemed as though Liddell would lose the contest. Howick's supporters became slightly more ardent in his support.

Howick's withdrawal from the by-election contest was ~~assessed~~ ^{announced} by a verbose and vague handbill, which did not give any definite reasons as to why he decided to retire, and which merely appealed to the general character of his family as a ground for voting for him at the General Election. For the moment he ceased

to canvass. There still remained the problem of an appearance on the hustings on the day of the nomination of candidates. An avowal of his political sentiments would be expected, and this was all the more necessary, he informed Earl Grey "as people choose to say I am a Tory". Anxiously he sought advice from his father, to whom he stated:-

"... there are so few questions of any importance on which one can commit oneself without inconvenience, I fear it is impossible to express an opinion in favour of parliamentary reform in however guarded a manner. The Catholick question it would also I think be dangerous to touch upon. I have seen in canvassing very strong indications of a general feeling that something should be done for the slaves in the West Indian islands, would there be any objections to my avowing a similar opinion? I think I might also say something in favour of the commercial policy which ministers seem inclined to adopt, though this ~~might~~^{must} also be done with caution not to alarm the farmers and landlords about the corn laws". (7)

Earl Grey gave his approval to the topics suggested by Howick, only cautioning him as to what he said about free trade. Even at this period there was a difference of opinion between father and son on the subject of the Corn Laws. Free trade was in Grey's view a 'ticklish subject'; economy, retrenchment - the two stock cries of all politicians out of office - and the question

(7) Howick to Earl Grey, February 14th, 1826.

of negro slavery would be the most popular subjects with the electorate.

February 21st was the day of the nomination at Alnwick. Following his father's outline of a speech, Howick duly stated the reasons for his withdrawal from the present contest; lack of advice from friends caused him to hesitate, he found many votes already pledged to his rival, and he believed it was the feeling of the electorate that the person to succeed Brandling should be a Tory. Rigid economy in public expenditure, a lightening of taxation, Catholic emancipation, parliamentary reform (though not along lines proposed by 'a certain class of modern reformers', i.e. the Radicals), and the abolition of slavery 'provided only, that due regard be paid to the sacred rights of property, and to the interests of the slaves themselves, who would probably be the greatest sufferers by any rash or ignorant attempt for their relief,' were his declared political principles. He seems to have made a favourable impression upon his audience. (8)

The only incident that occurred on nomination day was when Liddell was accused by Bell's supporters of attempting to secure the support and influence of Mrs. Beaumont, the mother of the Whig member. The Greys regarded this charge as true, and believed it was a dishonourable act on Liddell's part to seek support from Howick's enemies after the agreement between the two was concluded.

(8) Northumberland Election Papers for the Spring of 1826, Vol. 1.

Liddell was now firmly added to Earl Grey's pet aversions. According to Earl Grey, Howick was now absolved from all allegiance to neutrality in the present contest, and he desired to see his son using his influence to obtain votes for Bell.

Of the two Tories it is interesting to note that Liddell was the more liberal. Despite some initial equivocation he came forward as a supporter of Catholic Emancipation, of which Bell was a decided opponent. Therefore, in theory it would be thought that Liddell would have been more palatable to the Whigs, but the fact is that in both elections political principles took second place to private friendships and animosities. Many of the leading Whigs were on terms of personal friendship with Bell.

After the day of nomination Monck ceased to count as a factor in the situation. He decided to content himself with voting for his friend Bell in both elections. He refused to vote for Howick; either he was mortified at not being brought forward as a Whig candidate, or rumours of the coalition with Liddell had offended his susceptibilities as an independent freeholder. Further offence was to be given him when Lambton canvassed for his brother-in-law.

On March 7th the by-election ended, when Liddell - after polling 1,150 votes to Bell's 1,186 - declined further contest. One contest was over; a far more important one was just beginning.

As soon as he received notification that the by-election

was over, Howick resumed his canvass. He soon heard that the contest was not likely to be a three-cornered one between two Whigs and a Tory. Plans were on foot to bring Liddell forward again, some people regarding him as an ill-used person because he had pledged himself to a contest before aware of Bell's intentions.

The Greys were concerned to limit expense as much as possible. Some of their opponents were not so particular. Beaumont lavishly expended sums on drink for the freeholders. Howick informed his father that as a result of Beaumont's action people drunk to such an excess at Hexham that one man died in consequence; in that town Beaumont had given twelve barrels of ale to the mob and tickets to the freeholders which admitted them to eat and drink at discretion in the public houses. Beaumont had also been distributing cockades. Certain of Howick's supporters wished to embark on a similar round of distributing cockades and of treating. (9)

By Howick's letter of March 18th, Earl Grey learnt that Liddell had entered the contest, which would now be a longer, harder and more expensive one. Another unfortunate result was that Bell's agents were canvassing for plumpers, they had no wish to see electors give their second vote to another candidate until Bell's safe return was secured.

(9) Howick to Earl Grey, March 13, 1826.

Howick's opponents had better agents and made a more effective use of the press. It was not long before Beaumont's paper, 'The Tyne Mercury', accused Howick and Bell of forming a coalition, whilst they counter-attacked with the assertion that the coalition that existed was in fact between Beaumont and Liddell. Howick attacked the whole system of opening public houses and the giving away of ribbons; he made much of the fact that four people (three at Shields and one at Hexham) had died as a result of Beaumont's lavish expenditure on drink - an expenditure which the Greys could not afford. If the two Whig candidates were personally hostile to each other, the same was true of the two Tories; only such people who hated the Whigs sufficiently strongly - and Howick gives the impression that these 'party' men were few and far between - would vote for both Tories.

As the day approached for the commencement of voting at Alnwick, Howick was active in making arrangements for the conveyance of voters, the formation of committees, and above all the regulation of expense. In these tasks he was aided by written advice from his father:-

"... take care that there is a good system established with respect to the billeting of voters at Alnwick, and limiting the admission up to the Publick Houses to those who have tickets. All the engagements for this purpose with the Inn-keepers must be made by some of the gentlemen of your committee, who must take

upon themselves the responsibility of the orders that are given. If they could be fixed on you or your agents, you would lose your seat on a petition for treating." (10) On May 14th Howick learnt the amount of expense so far incurred. The bills of inn-keepers and tradesmen came to £800 and the attornies employed by Howick were also demanding exaggerated fees which would come to the same amount; the sum Howick thought 'quite enormous', whilst Earl Grey expressed himself as 'really astounded.' Considering that it had been a complaint of many of the freeholders that "nothing had been given" bills to the amount of £1,600 were quite fantastic, and afforded 'a frightful prospect for the election'. (11)

On June 2nd, Earl Grey informed his son that his supporters had started a requisition for a nomination, a step which would be of great advantage to Howick provided that he could make a good speech for the occasion. Earl Grey had never abandoned his attempts to secure a borough in the gift of one of his acquaintances (preferably of the same political principles) for his son; even though he had now thoroughly embarked upon a contest for the county, with all the expense that implied, there was still a distinct possibility that Howick would be unsuccessful in which case it would be convenient if he could represent a borough in Parliament, a poorer alternative certainly, but better than no seat at all. On June 5th, Earl Grey informed

(10) Earl Grey to Howick, May 12th, 1826.

(11) Earl Grey to Howick, May 17th, 1826.

Howick that his efforts in this direction had finally borne fruit; on June 3rd, Lord Darlington had written to him offering to bring Howick in for Winchelsea should he fail to win the county (according to Creevey, the borough of Winchelsea which returned two members to Parliament had at that time the princely number of eleven electors). (12)

June 13th was the day of the county meeting at Morpeth, held for the purpose of nominating candidates for the county at the ensuing election. The business of the meeting was opened with the reading of the requisition. Howick was duly proposed by Ridley, M.P. for Newcastle and seconded by Ord, M.P. for Morpeth. In his speech Howick gave a number of reasons as to why on public grounds he thought Beaumont an unfit person to represent the county. Matthew Clay, Esq., who in the absence of the High Sheriff was presiding over the meeting, declared the show of hands to favour Liddell and Beaumont. (13)

Polling began at Alnwick on June 20th; at ten o'clock in the morning of that day the High Sheriff took his seat and the business of the day commenced. Howick again stated his political principles (which now included the reform of civil and criminal jurisprudence, and opposition to 'a band of infamous leagued despots under the title of the holy alliance'), and in pursuance of the Grey vendetta against Beaumont, made a personal attack

(12) 'The Creevey Papers' (ed. Maxwell) 1912. Vol II
p. 165.

(13) Northumberland Election Papers for summer of 1826,
Vol. II.

against the latter. The show of hands favoured Howick and Liddell, and a poll was demanded on behalf of Beaumont and Bell. At the close of the first day's poll Howick stood third on the list of candidates. (14)

On the third day of the voting, Howick on the hustings exclaimed indignantly against means used by some of the other candidates to prevent his supporters from going to the poll, and hinted at a coalition between Liddell and Beaumont; counter assertions were quickly made. Assertions and counter-assertions on this point continued, becoming more vehement the longer the contest lasted and the more exciting it became. On the sixth day of the poll there was tumult. To a mixed reception from the crowd around the hustings, Howick in a bitter speech made a strong attack on Beaumont, and repeated his charges about a coalition between two of ^{his} the opponents:-

'The existence of this Coalition having been proved, I do say, that if I am defeated, I am its victim. A more unprincipled and a more disgraceful Coalition was never recorded in the annals of Electioneering.... I urge my own friends, though I were to lose my own Election by it, to split upon Mr. Bell, in order to defeat so unprincipled a coalition'. (15)

By then, Monday, June 26th, it was obvious that Howick was not going to be one of the successful candidates, and Earl

(14) Northumberland Election Papers for summer of 1826.
Vol. III.

(15) Ibid.

Grey for one was not willing to continue a hopeless contest at an expense 'of at least £1,000 a day'. Yet there were to be more exciting scenes around the hustings. On June 27th, Howick again bitterly attacked Liddell and Beaumont, whilst praising Bell for his 'upright and honourable' conduct. He announced a hope that Bell would win. On June 30th there came the climax to these violent proceedings. Howick arraigned Beaumont for his 'past conduct'. He ascribed the decision of the County Meeting at Morpeth in favour of Beaumont to 'a band of hired miscreants from Shields', who gave the show of hands in favour of the latter. Howick's speech obtained a mixed reception of hisses, groans and cheers from the crowd. It was at this point that Beaumont announced that Lambton was his secret enemy, and had been prompting Howick all the while he was speaking (Lambton in the later stages of the election had assisted Howick in canvassing, and much vituperation had been hurled upon him for, as a Durham magnate, interfering in a Northumberland election; his land in Northumberland being known derisively by his enemies as his 'cabbage patch'). Lambton denied the charge. "I say it's false", retorted Beaumont, and left the hustings. That same day Lambton sent a challenge to Beaumont. The same evening Lambton and Beaumont attempted to settle their quarrel - with pistols - on Alnwick Moor, but were prevented by the magistrates and a crowd which had assembled. Early next morning another proposed meeting on the Moor was abandoned because the

authorities had heard of the plan. Meanwhile Earl Grey had galloped unattended through the night from Howick Hall to Alnwick to prevent the consummation of the challenge, but failed to do so. The duel was fought on July 1st, the parties exchanging shots on Bamborough Sands, below the walls of the Castle, at four o'clock in the afternoon. No bodily harm was caused and - honour satisfied - Lambton and Beaumont went their separate ways.⁽¹⁶⁾

On July 3rd Howick announced publicly that he was declining further contest. In a published letter he requested his supporters to vote for Bell, or if that were inconsistent with their feelings, to abstain altogether. On July 6th the election - perhaps one of the most exciting that Northumberland had witnessed - came to a close. It was from the Tory Party point of view, a complete triumph, Liddell obtaining 1,562 votes, Bell 1,380, Beaumont 1,335 (Howick having retired after polling 976 votes). But how many Northumbrians looked at it from a political party viewpoint? Certainly the candidates never, the two Tories being the very reverse of allies united in a political cause. They were not even on speaking terms with each other.

What are the salient points emerging from the story of this election? The first is that political principles gave way to private friendships and hates as predominant motives for votes cast; indeed, so local was yet the nature of politics

(16) Northumberland Election Papers for summer 1826. Vol. III, and 'Life and Letters of Lord Durham' Stuart Reid, 1906. Vol. 1. pp. 170-2.

that it was believed to be quite legitimate to vote for one's neighbour and friend if he were a candidate, irrespective of the difference there may have been in political beliefs. Most of the leading Whigs of the county gave their second votes to Bell, the ultra Tory, mainly because he was a Northumbrian proper and a relative of the late respected member, whereas Liddell had strong connections with Durham. Splitting votes between a Whig and a Tory was a common occurrence; indeed the idea was still strong that only if both parties could represent the county was it possible for it to be fairly represented. It would be wrong to state that political principles were of no importance in this election, but they were overshadowed by personal issues such as the feud between the Greys and Beaumont and that between Liddell and Bell. Thus the Whigs preferred to vote for an ultra Tory when they had as alternatives a more liberal Tory and a Whig inclined to radicalism. Many of the ingredients of eighteenth century elections were to be found in this one, such as treating, charges of coalitions being formed amongst the candidates, and accusations of undue aristocratic influence. In essence it was a local struggle for the representation of the county, and those who participated and were not natives of Northumberland came in for a great deal of abuse.

And what of Howick? He had fought gamely for the honour of representing his native county, only to fail; but he was yet young, and there would be other occasions. Also he was not

excluded from Parliament, thanks to Lord Darlington. With Brougham he represented the borough of Winchelsea. That he was bitterly disappointed at his failure to win there can be no doubt, the violence of his language in the closing stages shows this. His youth and inexperience would count against him with many voters, the fact that compared to his rivals he was not so lavish in expenditure may have counted with others. He does not seem to have been ably or even warmly supported by many of the Whig gentry. Perhaps his constant attacks on Beaumont lost him more votes than he gained by them, and Lambton may have been more of a liability than an asset. It had been good experience, however, for a budding politician, this game of canvassing, of public speaking, of pronouncing opinions on some of the important topics of the day - even of roundly abusing opponents. As for any difference in electioneering between Howick and his rivals, it was only one of degree; Howick had inns open to his supporters, bestowed his ribbons, and had attempted to come to an 'understanding' with Liddell; he does not seem to have formed an official coalition with Bell, though the followers of both tended to vote the same way, but the charge is not definitely proven against his rivals.

There is a postscript to this story. On February, 3rd, 1827, Robert Anderson, an agent of Earl Grey's, presented a Statement of Election Accounts. In the second half of this Statement the expense was allocated between the different

districts of the county; the amount of bills sent in was given, and the amount of bills paid followed. The amount claimed totalled £19,213: 14: 8d. The amount actually paid was £16,981: 19: 0d. In February, 1827, Howick - who had expressed surprise at this vast sum - suggested to his father that they could recoup their losses by selling Ulgham Grange to a certain Cresswell Baker for £40,000, but though steps were taken to this effect, the idea failed to bear fruit.

B. Apprenticeship in Parliament.

On the opening of the new Parliament in November, 1826, Viscount Howick took his seat in the House of Commons as the member for Winchelsea. It was not long before his father was giving him some sound advice as to how to conduct himself there:-

'I hope you are always in the House of Commons. Whether there is an expectance of anything of importance or not, you always ought to be there at the hour when public business commences, and stay until it is over. Discussions often arise, and not seldom the most interesting ones, when they are not expected, and you ought to serve a regular apprenticeship, until you have made yourself thoroughly the master of all the forms and proceedings of the House.' (17)

(17) Earl Grey to Howick, December 2nd, 1826.

Earl Grey also desired him to speak frequently, not only for the purpose of becoming well known, but also for the sake of acquiring fluency of expression, and an ease of arrangement ^{of} ~~and~~ material. He was ever ready with encouragement, particularly when Howick's efforts disappointed the latter's expectations.

Howick seems to have acted upon his father's advice. His attendance at debates was frequent, and often the arguments in these were discussed in letters to his father. At first he merely listened, but as his familiarity with parliamentary procedure increased, he began to play a more active part in debates, contenting himself first with extremely short speeches, then as his confidence increased, he ventured on more ambitious efforts. His maiden speech of which he speaks in a letter of February 22nd, 1827, to his father, was against the vote for a military college, Howick seeing no necessity for having officers educated at the public expense.

There were times, however, when Howick's conduct was at variance with the views held by his father. For example, in November, 1826, he voted for Hume's amendment to the Address, which was aimed at assuring that there would be no prohibitive duties against the importation of foreign corn. In fact it was over the Corn Laws that the views of father and son were so diametrically opposed, Earl Grey supporting the 'status quo' and all for retaining this bulwark of the landed interest, whilst Howick at this time wished for a freer trade in corn, and wanted

only a small fixed duty on foreign corn entering the country. Another source of anxiety for Earl Grey was the fact that all too frequently, Howick in his votes on various topics was to be found alongside Joseph Hume and other Radicals, and of such men Earl Grey had an exaggerated horror. He could not approve of his son's first vote in Parliament; on March 30th, 1827, he informed Howick:-

"... the frequent association of your name with Hume's... must tend to lessen your credit and influence with the most respectable part of the community".

An earlier letter had remarked:-

"It is well that you have no longer any views to this county, as your votes on that question (i.e. the Corn Laws) would have destroyed them".

This conflict of views over the Corn Laws between father and son was to become more serious in future years. Howick did not hesitate to attempt to persuade his father to change his views on this question; whilst prepared to accept a duty upon foreign corn 'as will make up to the English cultivators for any disadvantage under which they may labour, as compared to other classes of the community,' and whilst wishing no drastic and sudden change in the system, he yet thought such a change was absolutely necessary as would save the manufacturing and commercial classes, plus the landowners themselves, from distress and eradicate the evils of an artificially high price

of bread. He was annoyed that so much ignorance on the subject manifested itself in the House of Commons. (18)

On most other matters Howick was prepared to follow his father's advice. One of Howick's favourite projects in these years was for a moderate property tax to replace the vexatious taxes on articles of common use; this, together with a well-regulated paper currency would mitigate the distress in the country caused, so Howick believed, by over taxation, for which there was no sure remedy, unless the colonies were to be given up, with all the administrative and military expenses they entailed. Thus, when Lord Althorp, endeavouring in March, 1830, to form a party to press for economy and retrenchment, suggested as part of his measures a moderate property tax, Howick supported him. Lord Grey was, however, opposed to any such scheme, looking upon it as yet another attempt to undermine the predominance of the landed interest. On receipt of his father's arguments against the suggestion Howick undertook to play no further part in the matter, though he was not fully convinced by his father's arguments. On the Corn Law question Howick still continued to pursue his own line of thought, and when there was some discussion on including monopolies (of which the Corn Laws would be one), within the categories against which Althorp's plans for retrenchment were laid, Howick was in favour of the step. (19)

(18) Howick to Earl Grey, January 12th, 1830.

(19) Journal, March 3rd, Oct. 31st, 1830; Howick to Earl Grey, March 3rd and 9th, 1830.

Earl Grey suggested that his son should concentrate on, and thus make himself an expert on, subjects which would shortly acquire importance; Howick could make an enquiry into colonial administration, and attempt to discover the reasons why the colonies were such a bother and expense to the Mother Country. Howick was deterred from this particular suggestion by the difficulty there would be in obtaining the necessary information, and by a doubt of his ability to embark upon a long speech:-

"I have not yet, and I doubt whether I ever shall acquire the presence of mind and the power of recollection, when speaking." (20)

Another of his father's suggested lines of enquiry was into the currency problem, and upon this, Howick did embark, though his labours bore no immediate fruit. Apart from the special lines of enquiry, Howick proved to be a diligent reader and student of parliamentary papers on a wide range of topics; from fragments of an early journal for the spring of 1830 there are allusions to parliamentary papers on India, Sierra Leone and Canada.

It was in the field of parliamentary reform that Howick made his first independent contribution, in the form of an amendment, to the solution of an important question. As early as August, 25th, 1829, he had set about drawing up an amendment when the proposed bill to prevent bribery and corruption in the

(20) Howick to Earl Grey, February 15th, 1830.

borough of East Retford was brought in. In the following February he consulted his brother-in-law, Lambton, on this topic, and the latter remodelled the amendment, Howick acknowledging that this was a great improvement. The subject came before the Commons on February 11th, 1830; Tennyson, M.P. for Bletchley, forstalled Howick by moving an amendment to the bill, to the effect that the two members returned by the borough should be transferred to Birmingham. Howick announced that he would vote for this amendment, and if it were not carried, would bring forward his own; he was convinced that a general remedy should be proposed for a general evil and that the franchise should be extended to the great commercial and manufacturing towns without disenfranchising other boroughs. When Tennyson's amendment was lost, he brought forward his own, stating that if this was successful, he might move for the appointment of a committee which should be empowered to draw up a scheme of Parliamentary Reform. The House divided 154 to 54 against the motion. The resolution Howick proposed, aimed at finding some general measure to put down the well-known abuses that occurred during elections instead of bringing forward particular bills to meet individual cases. Howick's efforts had the approval of his father, who was, however, anxious lest his son committed himself too much to Parliamentary Reform, which Earl Grey at that time regarded as a lost cause. (21)

(21) Hansard, Second Series, Vol. 22 pp. 336-9, and 362.

More important for Howick's future career was the interest he took in the affairs of Canada. In May, 1830, he spoke in support of resolutions moved by Labouchere, and accused the government of too much delay in carrying out the recommendations of the Canada Committee. On June 14th, 1830, the question of a money vote for the Society for Propagating the Gospel to be applied in certain colonies came before the House. Howick considered such a vote would be highly objectionable, not only on the ground of economy, but also by the fact that such money was being used to maintain an exclusive Church, especially in the Canadas where the land of the Established Church was vastly more extensive than the number of its adherents warranted. He, therefore, moved that the vote should be reduced by half, but was defeated by 148 votes to 46. These episodes ^{are} ~~were~~ of interest in that they show that Howick's ideas on the course of policy to be pursued in Canada were already in the main formulated before he became Under-Secretary in the Colonial Office later that year. (22)

Earl Grey and Howick were aware of the disadvantages involved in the latter continuing to represent Winchelsea. Lord Darlington, or the Marquis of Cleveland as he became, was not a close political ally of Grey's and by the opening of 1830 was a steady supporter of the then Government. How could Howick remain as member for a borough whose patron held opposite views from

(22) Hansard, Second Series, Vol. 25, p. 341.

his own ? It was an embarrassing dilemma, and Earl Grey believed that resignation was the only course. Howick informed Lord Cleveland that he would resign his seat if required, but, on February 5th, 1830, Lord Cleveland formally assured him that he was at liberty to vote as he pleased. Brougham, the other member returned for Cleveland's borough, did in fact resign. Despite Cleveland's generous assurances, it was obvious that Winchelsea was not an ideal seat. In June, 1829, there had been a suggestion of bringing Howick forward for Cambridge University, but Howick was averse to this believing that even if he were returned he would soon offend his constituents by the opinions he held. A year later there was a scheme to bring him forward for Southwark, but his father did not favour the idea, considering this to be a troublesome seat. In July, 1830, the county of Surrey was suggested. Finally, Lord Fitzwilliam, an orthodox Whig and friend of Earl Grey, had Howick brought in for his borough of Higham Ferris in the General Election of 1830.

Apart from politics, what other interests occupied Howick at this period ? Firstly, he was still engaged in improving his education, and there are references in his early journals to him reading Italian and French and translating English prose into French. He seems to have spent much time reading; among some of the books he lists are a number of Burke's writings, lives of Locke and Adam Smith and the works of Henry Hallam. Another type of education is by foreign travel, and in August, 1827, Howick set off with his lifelong friend, Charles Wood, who married

Howick's sister in 1829, for a continental tour through France to the Pyrenees, thence overland to Southern Italy. Howick's impressions of this tour are varied, ranging from a eulogy on the view obtained from a certain Pyreneean peak, to disparaging comments on the state of some hotels and towns. Rome, Naples, Pompeii, Capri, and Vesuvius were among the places visited. At Rome Howick attended a course of lectures on Roman antiquities and history, but was rather glad when it was all over, and he was left wondering whether his money could have been better spent. He also seems to have been rather concerned that he could not arouse much enthusiasm for paintings acknowledged by the experts as masterpieces. Back in England, when Parliament was not sitting, there was always a round of country houses to visit, or a variety of game to be shot - shooting was one of Howick's relaxations throughout later years. In London at this time Howick was a regular visitor to The Travellers, where he played whist frequently, and where he won or lost a number of pounds at the game; his most extravagant incident recorded, occurred on June 28th, 1830, when he played till 4 a.m. leaving thirty-six pounds the poorer. However, gambling soon ceased to hold any attraction for him:-

"I have certainly neither the luck nor the temper necessary for gambling. I invariably lose, and as invariable, however low I begin playing, I increase my stake." (23)

(23) Journal, December, 18th, 1829.

As for that other amusement of his class, horse racing, Howick does not seem to have been attracted by it:-

"Went to Ascot.... was very bored with it, lost seven pounds and did not see the race." (24)

During these years he must have pondered on what would be his position in a government formed by his father, for it was only to be expected that Earl Grey would find some place for his son. In May, 1830, Earl Grey asked Howick what post he would like should the Whigs come to power. Grey suggested a junior Lordship of the Treasury. Howick was agreeable to this, the only other position he would prefer would be that of Under-Secretary to the Home Office. When Earl Grey did form a Government in November, 1830, Howick received neither of these posts; a relative of Melbourne's was Under-Secretary for the Home Department. Instead Howick became Parliamentary Under-Secretary for the Colonial Office. This post gave him his main political interest, and henceforth Howick became an expert in the intricacies of colonial policy.

CHAPTER 2.Under-Secretary at the Colonial Office and the
Home Office.A. The Colonial Office.

Howick in a letter to his father in 1832 gave his opinion as to the ideal Colonial Secretary; he "should be a person capable of acting for himself with energy and determination, and who, has sufficient authority with his colleagues to insist when necessary upon their serious attention to the affairs which he brings before them". Many colonial questions Howick contended did not seem very important to politicians concerned with a multiplicity of business nearer home, but if these were neglected great embarrassment would be caused in the future. To avoid this perpetual postponement of questions which were not immediately pressing an energetic Colonial Secretary, willing to take a great measure of responsibility upon his own shoulders, was needed. If decisions on colonial matters were left to the Government as a whole "that decision is often delayed until difficulties which might have been avoided become inevitable." It was Howick's contention that his superior, the Secretary for War and Colonies, fell far short of these requirements. (1) This post was held by Viscount Goderich, later earl of Ripon, an amiable but ineffectual figure, whose ineptness is conveyed in his nickname of 'Goody' Goderich.

(1) Howick to Grey, May, 29th, 1832.

Howick was on good terms with his chief; he gave full credit to Goderich's uprightness, sense of honour, and kindness, but even some of his virtues unfitted him, in Howick's opinion, for the position he held, for his very kindness induced:-

"him to give way in everything to those who are about him.. He may be truly said (except upon one or two points on which he feels strongly) to have no will or opinion of his own, but to follow the direction... which is given to him by others". (2)

Howick himself was an energetic and a hard-working person, with decided - if not dogmatic - views on a range of important political topics. In fact, entirely the opposite of Lord Goderich. To such a person as Howick, ever ready to take action on various problems, and capable of foreseeing steps to be taken to obviate future causes of discontent, working under a person of Goderich's vacillating, procrastinating disposition must have been intolerable. Nevertheless, there was one advantage; under a more energetic and abler Colonial Secretary Howick's role would have been strictly subordinate, but under Goderich he was often able to make his own views prevail, and except on a few topics, such as the Canadian Church question where Goderich's prejudices were aroused, the Colonial Office decisions were made according to Howick's views.

Far different from Goderich was James Stephen, one of the ablest of nineteenth century civil servants. From 1813 he was

(2) Howick to Grey, May, 29th, 1832.

the holder of the post of Counsel to the Colonial Department; it was not until 1834, that he acquired the title of Assistant Under-Secretary, eventually replacing Hay as Permanent Under-Secretary in 1836. Howick's debt to Stephen was great, and he was the first to acknowledge it. Stephen initiated him into the business of the office, and gave him unreservedly the benefit of his vast experience. Writing of Stephen to Earl Grey, Howick stated:-

" ... those questions which he (Goderich) ought to decide for himself fall upon those beneath him, and they instead of acting under his directions are obliged to decide for themselves, with the additional difficulty of having to prevail upon him to adhere steadily and consistently to that decision. Therefore I cannot but feel that questions much too important to be left to my unassisted discretion would thus practically have been entirely committed to me, had I not hitherto had the advantage of the advice of Mr. Stephen... the dispute which is now going on with the Assembly of Lower Canada, and which may lead to the loss of that province ... has never been.... submitted to the Cabinet, but has been entirely managed by myself and Mr. Stephen... if Mr. Stephen had not been in the office, or had confined himself to what are strictly the duties of his situation, the very serious errors into which I had fallen would have remained uncorrected, and would have led to more than one practical false step of the most serious kind." (3)

(3) Howick to Grey, May, 29th, 1832.

Howick always considered himself as being under a debt of gratitude to Stephen. In June, 1834, when he himself had left the Colonial Office, he attempted to persuade Earl Grey to appoint Stephen as one of the new Poor Law Commissioners:-

"... there is nothing I would not do to serve him, as it is quite impossible I can ever repay him for all the advice and assistance he afforded me when I was in the Colonial Office, in every difficulty he was the only person to whom I could apply and he never refused to do for me all that he could, and I never failed to find the advantage of following his advice." (4)

Stephen was not made a Poor Law Commissioner, but Howick never ceased in later years to press for other rewards for his services, and a cordial and fruitful relationship grew up between them.

Henry Taylor, the author of 'The Statesman', was another talented member of the Colonial Office. The Permanent Under-Secretary, R.W. Hay, and his political opinions were less agreeable to Howick, who had this to say of him:-

"his notions are what appear to me illiberal and narrow in the extreme; he has besides far greater confidence in himself than his abilities would warrant.... a great deal is done in the colonies under his management of which I should strongly disapprove, and that a great deal more which it appears to me ought to be done, is entirely neglected".

A conflict of opinion between the two Under-Secretaries could be

4 HOWICK to EARL GREY June 8th, 1834

serious when such a person as Lord Goderich was head of the department, and the colonies were divided between his two subordinates; Goderich's lack of control over his subordinates, Howick believed to be a matter of public notoriety:-

"since it must be obvious to the Governors and to all who have any business to transact with him, that since last November (1831) when I gave up the management of N.S. Wales and Ceylon and received that of the N. American Provinces, the whole tone of the policy pursued in both sets of colonies has been entirely changed". (5)

B. Howick and the new theories on colonies and colonization.

The early years of the nineteenth century saw the old conception of colonies and their rule begin to undergo a profound change. The idea that colonies were exclusively for the advantage of the Mother Country - that advantage having in the main a strong commercial flavour - was challenged. Colonies under the older system of a closed commercial empire supplied Britain with important products, which would otherwise have had to come from her rivals, and gave employment to her ships and seamen, thus maintaining a strong mercantile force capable of being formed into a war machine in times of stress. In return the colonies received certain benefits; bounties encouraged certain products,

(5) Howick to Earl Grey, May, 29th, 1832.

Britain was an assured market for some products, and British forces provided protection where necessary, but these benefits were incidental to the main purpose for which colonies were fostered. This conception of relations 'vis-a-vis' Mother Country and Colony had been shaken but not destroyed by the American Revolution. Britain had neglected the colonial demand for more mature representative institutions, being unable to reconcile the prevalent conception of colonies with this new demand, and had lost her most important group of colonies. How to reconcile the idea of Empire with demands for internal self-government became one of the problems bequeathed to the nineteenth century.

The old mercantilist doctrines no longer held the stage in the nineteenth century. Free Trade was to become the current commercial gospel, and this in turn destroyed all the theories on which an Empire had hitherto been defended. A change of attitude was perceptible in the early years of the century; under Huskisson's direction in 1825 the colonies to a great extent were given complete freedom of trade, and instead of a monopoly of the colonial markets the Mother Country now reserved for itself a preference. (6)

Various groups of people became more interested in the colonies themselves than the advantages they conferred on the Mother Country. The nineteenth century saw a growth of missionary fervour, which concerned itself with the conditions of

(6) 'Colonial Policy of Peel and Russell' -
W.P. Morrell, 1930; p. 4.

the slaves in the West Indian colonies and with primitive races elsewhere; to such primitive peoples the Mother Country had moral obligations. Colonial demands for greater autonomy and demands that Britain should cease to transport her law-breakers to her dependencies, now received greater support from certain sections of the population in Britain. Some men became imbued with the mission to spread the British race, its institutions and culture, to the furthestmost corners of the globe, and demanded from the British Government moral and material support for colonization and emigration schemes. No longer was there an exclusive emphasis on the commercial advantages colonies brought - except by the diehards of the older school of thought - but there did arise a question, when confronted by the increased obligations Britain was held to have towards her colonies, among some people as to why Britain bothered to have colonies at all.

The new ideas on colonies and colonization are associated with the name of Edward Gibbon Wakefield. He believed it was the mission of Britain to spread her sons far and wide, and to ensure that areas like Australia and New Zealand would become cradles of the British race and its cherished institutions. This could not be done by the then haphazard modes of colonization. A theory and a system of colonization was needed, and he set out to provide it. Concentrating first on the Australian colonies he showed in what a backward state they were. According to Wakefield the whole key to the art of colonization lay in the

proportions of land and population. The policy of the Imperial Government in giving away land, or charging at most ^a nominal price for it, was wrong. As nearly every man desires to be his own master, the fact that land could be obtained so easily led to immigrants scorning to labour for another; instead they became proprietors, possessing more land than they could profitably make use of, and from which they could eke out merely a bare subsistence. In such conditions population remained scattered, and there could be no hopes for the growth of fine cities, elaborate organs of government, the class system of British society, and the luxuries of a truly civilized way of life. The prime essential for the development of a community lay in a division of labour. Where a man had to be his own carpenter, shoe-maker, architect, etc. little progress could be made. Wakefield believed that the sale of Crown Lands should be restricted by charging a high price per acre. This would enhance the value of land now practically worthless, and would ensure that every immigrant could not afford to become a proprietor - at least not immediately. Thus immigrants would have to labour for others, and the great problem of a labour force would be solved, the land would become more productive, and cash crops could replace subsistence farming. Thus the beginnings of settled communities would be laid, with the certainty of their ultimate expansion. The money raised by the sale of land could form a fund to be used for bringing out fresh immigrants. Gibbon

Wakefield believed that such theories possessed universal validity.

Howick accepted Gibbon Wakefield's theories. As Goderich was incapable of formulating policy, his Under-Secretary was able to carry some of Wakefield's ideas into practice, the first time they had achieved official recognition from a Government. A letter from Howick to E.G. Wakefield in September, 1831, ran as follows:-

" ... It had been mentioned to me that you were the author of the pamphlet published by the Colonization Society, and of the letter to Sir G. Murray published in the name of Mr. Tennent... To the ability displayed in these works and to the importance of some of the principles which they are intended to establish I am not insensible; and I should be most happy to receive any further information or suggestions from a person who has shewn so much knowledge of the subject to which they relate.... I think that it would be more convenient if you would have the goodness to submit them in writing for the consideration of Lord Goderich and of the Government. Should you be inclined to adopt this course, I assure you that your suggestions shall receive the attention to which they are so well entitled and be most carefully considered." (7)

It was Howick who persuaded Goderich to give a trial to the new theories. The colony chosen was New South Wales and in

(7) Howick to E.G. Wakefield, September 7th, 1831.
Copy. Colonial Office Letter Book.

1831 the practice of free land grants there was abandoned, and a minimum price of five shillings an acre was placed upon Crown Land. (8)

Gibbon Wakefield's theories also played a key part, as we shall see, in the measures Howick advocated to accompany the emancipation of the slaves in the West Indies. In a Memorandum on the possibility of making a land tax an accompaniment to emancipation, written on July 3rd, 1832, Howick has this to say:-

"I will not.... attempt to give even a sketch of the argument by which it has in my opinion been proved, that the tendency of too great a facility of acquiring Land, is to reduce the population of any country to a state little removed from that of savages; for this I must refer to the Pamphlet published by the colonization society, to a letter addressed to Sir G. Murray by Mr. Tennent, and to a book called "A Voice from Sidney"... in these works (all I believe written by the same person) it is shewn not only by reasoning which seems to me conclusive, but by an appeal to experience, that if the population of any country be very small in proportion to its extent, and if no check be opposed to the occupation of land by all who desire it, the natural wish to become proprietors will induce each individual family to establish itself upon its own piece of ground, that no division of labour will therefore exist, and that it will be

(8) 'British Colonial Policy'. Bell and Morrell 1928.
Despatch from Goderich to Darling, January 9th,
1831, p. 197.

impossible to carry on any species of industry which requires the co-operation of many hands."

In a later paragraph Howick outlined the principle behind the recent change in Australian land policy:-

"It has never been said that Englishmen are incapable of continued labour, or deficient in industry and perseverance; yet in the Australian colonies it has up to the present time been no less impossible to purchase labour than it would be in the West Indies, were emancipation to take place without any precaution; and accordingly the landowners of the former colonies say, and say justly, that to put a stop to the system of transportation without taking some other means to secure for them a supply of labour would be no less ruinous to them, than the ^emanicipation of their slaves to the sugar planters. The wealth and prosperity of Asutralia has in truth been hitherto entirely dependent upon what is really a system of slavery; felons from this country supplying the place of negroes.... and the great object of the change lately effected in the mode of disposing of the Crown Lands, is to enable the colonists to cultivate their estates by the hands of freemen This it is proposed to accomplish by so raising the value of land as to prevent every labourer who arrives in the colony from becoming at once a proprietor, and by applying the revenue arising from the sale of land to the encouragement of emigration." (9)

(9) Memo. by Howick, July 3rd, 1832. Slavery Papers.

C. Howick and Canadian Problems.

The all-important topic whilst Howick was at the Colonial Office was the question of the future of the slaves in the British West Indies, but before turning to this, two other problems which are of special interest may be mentioned. The first has to do with the whole question of the Provinces of Upper and Lower Canada, Howick's attitude to Canadian affairs being interesting because of the prominence they acquired in the late 1830's and the part he then played.

Of the two Provinces, Lower Canada with its mainly French population was the more troublesome, but Upper Canada too had its grievances. One of the great bones of contention between the Imperial Government and the Assembly of Lower Canada concerned certain disputed revenues. Revenue from duties imposed by an Act of 14 Geo III, cap. 88 was appropriated to the expense of the Civil Government of the Province by authority of the Imperial Treasury. A further Act of 1791 had established the two Provinces each with the same Constitution (Governor, nominated Legislative Council, and elected Assembly); this Act expressly provided that nothing it contained made any change in the validity of any previous Act imposing duties for the regulation of commerce or navigation, but it directed that the net produce of all duties which in future were to be imposed for this purpose were to be applied as a law made by the Crown with the advice and consent of the Legislative Council and Assembly of the

Province should direct. The Assembly contended that this gave them control over the revenue raised by the earlier Act; the Governor, backed by legal opinion, maintained that these revenues were beyond the control of the Assembly.

A further topic of dispute in both Provinces was the composition of the Legislative Councils. Nominated Legislative Councils had been established to serve the same purpose as the House of Lords in Britain, that is to act as a check or mediating influence between the Executive on the one hand and the popular part of the Constitution on the other. Pitt had hoped that an hereditary aristocracy would arise to counter the democracy of the Assemblies. The Legislative Councils had fallen into disrepute in the Colonies, and were regarded as mere tools of factions wedded to the support of the Executive, for example the so-called Family Compact in Upper Canada. Lower Canada had a further grievance in that though the Assembly was predominantly French, the Legislative Council consisted entirely of English members who vetoed all measures regarded favourably by the French community.

A third dispute concerned the Established Church, which only commanded the allegiance of a minority of the population, yet was maintained by the Imperial Government. Bound up with this question was the vexed problem of the Clergy Reserves, waste lands set aside in ^{the} ~~Lower~~ Canadas for the maintenance of this alien Church.

The Canada Committee of 1828 had been appointed to enquire into Canadian problems. Its recommendations were carefully studied by Howick. These included placing the disputed revenues at the disposal of the Assembly, a reform of the Legislative Councils, and the liquidation of the Clergy Reserves. Howick endeavoured to persuade the Government to carry out all the recommendations of the Canadian Committee, but was successful in only one problem.

The Howick Act of 1831 transferred the disputed revenues to the control of the Assembly, the Crown retaining control merely of the casual and territorial revenues inherited from the French Crown. According to Howick the Bill gave up no real authority possessed by the Crown, which had not for some years controlled the disputed revenue except by an open violation of the Constitution of Lower Canada. (10) Howick was willing to acquiesce in colonial demands in the hope that confidence would be engendered, friction would cease, and the reasonable requests of the Executive would in such an atmosphere gain ready compliance from the Assembly; the most important of these requests was for a fixed Civil List for a number of years to pay the salaries of the chief officials and Law Officers of the Colony, instead of providing for these by annual estimates. Unfortunately the Assembly did not act up to Howick's expectations; it continued to grant salaries for no more than a year at a time, thus keeping a great deal of control over the actions of

(10-) Memo on Revenue Question, April, 1831, Canada Papers.

the Executive. Disputes with the Assembly continued, and the Executive had no revenues by the Act of 14 Geo. III. cap 88. to pay in part the salaries of its servants. The latter went unpaid for three years, and were ultimately paid in full, as they had previously been paid in part, out of 'army extraordinaries'. Judged by results the Howick Act was a failure; demands arose for its repeal, these demands increasing as the dispute with the Lower Canada Assembly became more bitter. Howick, however, never wavered in the belief that his Act had been the only course open in the circumstances. Concession to the demands of the Assembly and trusting to its subsequent goodwill was the keynote of his policy for Canada in these years.

On the question of Legislative Councils, Howick urged that changes were necessary in their composition. At the moment they were ~~fra~~^action-ridden and had no hold on public confidence. What did the Secretary of State know of the people he nominated to seats in the Legislative Council? He had to act by the advice of the Governor, who at the most was only in the Province for six years; surrounded by official cliques, how could the Governor find out how a man stood in the estimation of the public? A strong Governor might find out the truth by himself, but the average colonial Governor as then existed, certainly would not. Howick suggested two ways of choosing the Legislative Council. A list of candidates could be chosen by electors having a high qualification (he does not define whether this is solely to be

a landed qualification), and from this list the Crown could select people to supply vacancies. Howick preferred the alternative, which allowed the Assembly to recommend those persons they thought entitled to the honour of a seat in the Legislative Council (he does not consider what effect this might have upon the struggle between the French and English in Lower Canada). Though a change in the Legislative Council had not been formally requested by the Assembly, now, Howick believed, was an opportunity to go beyond what had been demanded, instead of making every concession look as though it had been extorted. (11)

Whatever may be thought of his plans for reform, Howick's conclusion was sound and statesmanlike. If the policy of concessions is to work at all, liberal concessions must be made at once; piecemeal concession, given after agitation, has the appearance of being extorted from a weak government, and in turn encourages further agitation, until there comes a time when the government feels it can concede no longer, at which point occurs the danger of bloodshed. It was such a course that Imperial Governments followed until the late 1830's with respect to the Canadas.

The third Canadian problem with which Howick concerned himself was the position of the Established Church. He argued that it was wrong to maintain an exclusive Church contrary to

(11) Memo. October 27th, 1831. Canada Papers.

colonial wishes, and also to expect the colonists to pay for it (one of the Whig measures of economy; hitherto the Established Church in Canada had been maintained mainly by Parliamentary grants). In Lower Canada only $3\frac{1}{2}$ per cent of the population were Anglicans, whilst the majority of the Upper Canadians were Methodists and Baptists. The only colonial funds at the disposal of the Crown were the Territorial Revenues; the Assemblies would not grant money towards the support of the Established Church, and the Crown would only lose its Territorial Revenues after a struggle with the Assembly if it attempted to use them for this purpose. Again Howick urged conciliation:-

"I contend that it is neither desirable in itself nor consistent with the character and principles of the present Government to attempt on a question of this kind to overrule the popular branch of the legislature".

Howick offered dis-establishment as a solution; this would mean the end of the privileged position of the Anglican Church, which at that time held the Clergy Reserves, and control of institutes for public education, whilst membership of it had become a sort of passport to official employment and membership of the Legislative Councils. £24,732 was paid annually by Britain for the support of the Church in Canada; Howick suggested reducing the £16,182 paid to the Society for the Propagation of the Gospel by a quarter each year until it ceased to exist on the estimates. The Clergy Reserves he wished to see

abandoned, and the colonies left to make their own provisions for religious instruction. Payment of salaries of the Protestant clergy of Lower Canada (£5,250 from Army Extraordinaries), sums paid to the Bishop and Archdeacon of Nova Scotia, and the vote for King's College in the latter province, should cease forthwith. If his recommendations were carried out Howick was very optimistic as to the future:-

"By yielding at once upon this question every remaining subject of serious difference will be got rid of, and there is every probability that disputes which have so long existed between the Executive Government and the Assemblies will be satisfactorily adjusted."

The example of the United States made it inexpedient to neglect colonial feelings. (12)

Goderich, however, was too good an Anglican to favour disestablishment, and for once resisted the schemes of his Under-Secretary. The Territorial Revenues in Lower Canada were used to provide for the salary of the clergy, and intensified the determination of the Assembly to control them, whilst though both Provinces were invited to legislate on the question of Clergy Reserves on lines acceptable to the Imperial Government

(12) Howick to Earl Grey, November 7th, 1831, enclosing a Memo on the Canadian Church dated August 19th, 1831.

(Goderich favoured selling the Reserves and applying the proceeds to building Churches and Parsonages, whilst many Canadians wanted to see those same proceeds applied purely to education), they failed to do so, partly because of the failure of Governors, Legislative Councils, and Assemblies to agree on what course to pursue.

Howick also played a part in an important incident which took place in Upper Canada. In 1830 Mackenzie, the famous Radical agitator was chosen as the member for the County of York in the Assembly; in his writings he abused the body of which he was a member and as a result was expelled on the ground that his writings were libellous. In the following year he was re-elected, again expelled, and declared ineligible for a seat in the Assembly. In April, 1832, a despatch was sent to the Governor, Sir John Colborne - of which there is a rough draft in Howick's hand - urging him to prevent further incidents, Mackenzie having been elected by his constituents for a third time. Howick's view was that the Assembly should have abstained from taking any notice of the libel, or at most, action should have been taken in the ordinary tribunals. Mackenzie had been able to pose as the victim of injustice, and certainly the expulsion by people at once accusers and judges did have an arbitrary character. There was no legal means of preventing Mackenzie from taking his seat; the power of the Assembly - and the House of Commons - did not extend further than the

expulsion of a member for an offence subsequent to his election, and only by an Act of the whole legislature could a legal incapacity to a seat be created. (13) The Law Officers in Upper Canada (Solicitor-General C.A. Hagerman, and Attorney-General, H.J. Boulton) did not agree with this legal argument, and when Mackenzie was expelled for a third time, these two officials voted with the majority. In the summer of 1832 Mackenzie sailed for England, where he remained till the spring of 1833, having two final interviews with Howick in March; in that same month Colborne was ordered to dismiss Boulton and Hagerman from their posts. (14)

When Stanley took over the Colonial Office from Goderich, and Howick had left, C.A. Hagerman was restored to his former position, and Boulton became Chief Justice of Newfoundland (after James Stuart, removed from his office of Attorney-General of Lower Canada by Goderich after 'impeachment' proceedings in the Assembly, had refused the office). Howick was furious with Stanley:-

" ... Boulton was dismissed ... because ... he had acted upon principles diametrically opposite to those on which Lord Goderich (or rather on which I) desired that the Government of

(13) Draft of a Despatch to Sir J. Colborne, April 2nd, 1832. Canadian Papers.

(14) 'The Colonial Policy of the Whig Ministers' No. 1. Helen Taft Manning 'Canadian Historical Review' No. 33. pp. 203-37.

the colony should be carried on, and because he had resisted in the most indecent manner the authority of the Secretary of State; ... Stanley... has expressed as strongly as it was well possible, his dissent from the views of his predecessors, and this measure as shewing that Hay and ^oTryism have recovered their ascendancy in directing the policy of this country towards her N. Am. colonies causes me to entertain the most gloomy anticipations as to the future." (15)

Howick contended that Stanley's actions in Canada had upset all the former's policy in Lower Canada of strengthening the moderate party which would probably have "obtained the ascendancy over the radicals, even in the Assembly." (16) The Howick Act was also threatened, Stanley having promised Lord Aylmer, Governor of Lower Canada, that it would be repealed. In 1834 a Committee of the House of Commons enquired into the unrest in Lower Canada. At the same time Stanley gave notice of a bill for suspending the operation of the Howick Act. During the sittings of the Committee Howick crossed swords with Stanley, calling the latter's projected bill a 'coercion bill'. For this Howick was rebuked by Ellice, who emphasized the harm he was doing to his father's government, and Earl Grey himself deprecated any further quarrel with Stanley. Nevertheless, Howick's opinions on Canada, as he told Wood, were too strong to be sacrificed with honour and once again he contemplated

(15) Journal, June 20th. 1833.

(16) Journal, June 30th, 1833.

resigning - he was at this time Under-Secretary under Melbourne at the Home Office. Earl Grey urged him to content himself with stating his opinions in the Committee without resigning as that would only mean that Labouchere, who shared his sentiments, would do the same, and that it was Stanley's wish that Howick should not be obliged to go out of office again because of opposition to colonial policy (he had resigned his previous post over the slavery issue). Stanley postponed the date for bringing in his bill, and shortly afterwards resigned over the question of the appropriation of the revenues of the Irish Church. (17)

The whole of Howick's Canadian policy thus had the one end in view, conciliation of the popular parts of the Constitution by the removal of grievances or possible causes of them, such as the expulsion of Mackenzie. The Act which bears his name was no solution to Lower Canadian problems; indeed in the opinion of many it was a retrograde step which had placed the executive even more at the financial mercy of the Assembly than hitherto. The core of the problem in Lower Canada lay in English-French antagonism. When Howick next concerned himself with Canada it was to find that the situation had worsened.

D. Howick and Mauritius.

During Earl Grey's administration the West Indies and other slave colonies were in a ferment, which increased with

(17) Journal, April 18th, May, 5th, 10th, 17th, 19th, 20th-23rd, 1834; Earl Grey to Howick, May 11th, 1834.

every scheme emanating from the Government for the amelioration and final abolition of slavery. On the one hand the planters were violently opposed to government interference with their 'property', and on the other the slaves became excited at the prospect of ultimately gaining their freedom, and became less subservient in their attitude to their masters. Such a state of affairs produced explosive situations in several colonies, particularly Jamaica, British Guiana, and Mauritius, and for a while the latter engrossed much of the attention of the Colonial Office. The whole Mauritius story is interesting in that it illustrates the difficulty with which an Imperial Government had to contend if it brought forward for the colonies a policy favouring the slave rather than the master - difficulties which were not sufficiently realized by the Anti-Slavery party in the country, most of whom simply believed that all the Government had to do was to declare emancipation and everything would be well.

The conflict in Mauritius was one as much of personalities ^{as} and principles. The principal actors were the French Creole owners of slaves, a weak Governor who favoured the pro-slavery faction (as did many of the official servants) and an over-zealous law officer with a strong detestation of slavery.

The Governor of Mauritius when the Whigs entered office was Lt. General Sir Charles Colville, G.C.B. On April 4th, 1832, a despatch was sent announcing his removal from office, after a

long period of frustrating the attempts of his superiors to mitigate the situation of the slaves on the island. Among other charges he was accused of not having aided the Protector of Slaves in his duties, of having connived at the use by slave owners of chains, rings and collars when these had been expressly forbidden by Government, and of having suspended a clause in an Order in Council which had prohibited the Judges and certain Law Officers from possessing slaves. As soon as his successor was enabled to proceed to the Colony Colville was to consider himself as relieved from his government. Though unpopular with the Imperial Government (particularly so with Howick, a copy of this despatch being amongst his papers) and of course with the slaves, Colville was a good Governor in the eyes of the official class, and the planters, and no doubt the news of his dismissal helped to play its part in the riots which were to come.

In February of that same year the Colonial Office had appointed a new procureur-général, or public prosecutor, for the island - the main influence in persuading Goderich to that choice was Howick. The man chosen was Sir John Jeremie, who for six years had been Chief Justice of the island of St. Lucia. It was a singularly tactless choice for an island of excitable slave-owners. Jeremie was an ardent abolitionist who had aroused such hostility in St. Lucia from planters and civil servants that he had been obliged to withdraw from the office he held. In 1831 he had published "Four Essays on Colonial Slavery", which was

much disliked by the pro-slavery faction. (18)

Jeremie arrived at Port Louis on June 2nd^{and} was prevented from landing till two days later, so strong was the feeling in the island against his appointment. When he did come ashore it was under a military escort. Though Jeremie took the oaths of office he could not be formally installed because of the refusal of Visieux, one of the Judges, to attend a Supreme Court summoned for that purpose, the law requiring the presence of three judges on such occasions. Colville, who had connived at the armed associations of volunteers - avowedly for the purpose of checking insubordination, but which had played a prominent part in the anti-Jeremie riots - now called not his Executive Council to advise him but a meeting of 'notables', a body which had no legal existence and which consisted of those very men who were at the head of the resistance to Jeremie's appointment; when these advised the removal of Jeremie, Colville carried out their recommendation, and Jeremie, bearer of the Royal Commission, was embarked for England by order of His Majesty, Governor on July 29th; he reached England three months later.

Early in October news of these proceedings reached the Colonial Office. Howick called for determined measures to vindicate Imperial authority. "My opinion", he wrote, "of the incapacity, cowardice, or treachery of Sir C. Colville is increased... I hope some how or other Colville will be punished."

He demanded the dismissal of Visieux and the appointment of a judge of a different temper. (19)

Henry Taylor believed that the trouble had originated in attempting to combine a liberal policy towards both classes of the community, and cast the blame upon recent reforms, the decisive influence for which had been Howick's. Now Taylor wished to see the Government retrace their steps, and to take away the recently acquired freedom of the Press and also to diminish the number of the Legislative Council. Howick laid the whole blame for the riots upon a weak Governor who had disobeyed his superiors and had sanctioned what amounted to a rebellion. Howick refused to blame the reforms he had suggested for the riots. Here again is seen Howick's essential liberal attitude towards colonial wishes; speaking of Taylor's observations, he noted:-

"For many of his remarks upon the character of the French Creoles and their unfitness to make a rational use of free institutions I concur, but the conclusion I draw... is that the very trifling approach to freedom we have allowed will be of the greatest service in preparing them for the more full enjoyment of a constitutional Government when the abolition of slavery shall have removed the objection which now exists to the extension of popular influence..." (20)

(19) Howick to Goderich, October 4th, 1832.

(20) Howick to Goderich, October 11th, 1832.

Three weeks later the Government had still determined upon no course of action. The Cabinet questioned whether Sir William Nicolay, deputed Colville's successor, was a fit man for the situation. Howick defended Nicolay's appointment; he had been chosen mainly for his creditable administration of Dominica. Meanwhile the military authorities were clamouring for a garrison of ten thousand; at the time of the riots there were under two thousand troops on the island. Howick did not see the necessity for this, as the armed associations were so ill-equipped and without discipline that the troops present on the island if led resolutely could disperse them. Howick had his way, and Nicolay was duly sent, though Earl Grey was somewhat dubious, having heard that Nicolay was gouty, infirm and near seventy. The Government insisted on despatching an infantry regiment after him.

Order was restored on the island, and Jeremie returned, but it was not long before he became involved in bitter quarrels with other important public servants, particularly the judges. The Governor expressed disapproval of Jeremie's violent language, and the latter resigned, quitting Mauritius in October, 1833. Even before this was known, reports of Jeremie's actions, and of the Governor's, were arousing anxiety at the Colonial Office, and Howick - who was out of office at this time - was sent official papers on Mauritius in order that he might pass an opinion on them. Earl Grey had heard reports that Jeremie on

the anniversary of the day of his expulsion had paraded the streets in a carriage decorated with laurels. Howick was reluctant to admit that the choice of Jeremie had been a mistake, and blamed the latter's faults upon excess of ardour and a want of command in a right cause. Nevertheless Howick was disappointed in Jeremie and his ungovernable temper, and did not look upon the Mauritius episode with satisfaction. He himself had preached a tactful approach towards the slave colonies whilst the question of slavery was undecided, yet he had urged the appointment of a man who was known to be anything but tactful to a tumultuous colony, knowing that the views of the settlers plus many of the officials were poles apart from Jeremie's, without realizing that sooner or later they would be bound to come into conflict and cause concern to a Government which was already overburdened with pressing problems. (21)

E. Howick and Slavery.

The dominating problem confronting the Colonial Office was that of the slave colonies. Since the actual abolition of the slave trade the Anti-Slavery party in the country had waxed stronger and stronger, and its hold over public opinion had increased; the party's aim was abolition of slavery as quickly as possible. The Colonial Office also had to consider

- (21) Earl Grey to Howick, November 3rd, December 4th, 1833.
 Howick to Earl Grey, December 3rd and 6th, 1833.
 Draft of letter from Howick to G. Levevre,
 December 24th, 1833.

the colonists' viewpoint; what was to happen to the sugar plantations in the West Indies once slavery was abolished, would they have to be abandoned for lack of labour ?

Successive Governments had shied away from immediate abolition, and when Howick entered upon his duties the line being pursued was one laid down by Canning in 1823. By a series of Resolutions in that year Canning had proclaimed the necessity for ameliorating the condition of the slave, thus fitting him for his freedom which would be at as early a date as the welfare and safety of the colonies permitted. The policy was amelioration not emancipation, and was to be carried out by Order in Council for the Crown Colonies, and in the Chartered Colonies by the local legislatures themselves. Lord Goderich continued this policy upon his assuming the position of Colonial Secretary, though in the seven years which had elapsed since Canning's Resolutions no great improvement in the condition of the slaves had been effected. (22)

In the spring of 1831, whilst the attention of most of the public and politicians was engrossed by the struggle for Parliamentary Reform, Buxton gave notice of an intention to move Resolutions pledging Parliament to the principle of immediate emancipation. Though his notice of these Resolutions was given a month before they were to come up for discussion the Government failed to take steps to decide what their attitude

(22) 'Emancipation and Apprenticeship in the British West Indies'. W.L. Burn 1937, pp. 80-2.

would be on the question, and on the very day the motion was due Howick had to persuade Buxton to postpone the debate. Howick pressed for a definite decision from Goderich before the subject came up for discussion again, yet up to the day of debate no decision had been reached, and it was only after repeated representations by Howick that it was decided to commit the Government to the course of policy recommended by Canning, which included a threat that fiscal measures would be taken against those Chartered Colonies which failed to pass legislation ameliorating the condition of the slaves along lines laid down by the Orders in Council for the Crown Colonies. (23) In April, on Althorp pledging the Government to exclude all those colonies which did not pass ameliorating legislation from the proposed financial relief for the West Indies, Buxton consented to withdraw his motion. Howick clearly outlined the Government's policy at this time in a letter to Buxton, written on April 7th; Buxton's Resolutions, he wrote, would be contrary to the Resolutions of 1823, "as they would go to the direct liberation of the existing race of Slaves or at least of their children", whereas according to Canning the "ultimate extinction of Slavery was to be attempted, not by any law for the direct liberation of the Slaves or their children, but by gradually improving their condition, and mitigating the severity with which they are now treated, in short by a process similar to that which... without sudden and violent change, has by degrees converted the serfs and bondsmen of the dark ages, into the free peasantry of modern times."

(23) Howick to Earl Grey, May 29th, 1832.

A new Order in Council had been promised in April for the Crown Colonies, with the stipulation that the Chartered Colonies if they wished to enjoy financial relief would have to pass similar legislation. This Order in Council was ready in November of that year. Howick urged that as enforcing its provisions in the Chartered Colonies was the really important part of the scheme, the Resolutions of April should be brought forward by the Government to receive the approbation of Parliament, and the decision of Parliament which would be favourable, could be sent along with the Order in Council to all the Chartered Colonies. These would then have no doubts that it was the expressed determination of the Imperial Parliament to exclude them from any relief accruing by an alteration of the sugar duties should they fail to comply with the Order in Council. Goderich could not be brought to take such a decided step, and the Order in Council was sent to the Chartered Colonies with merely a despatch promising substantial relief for compliance with its clauses - Howick having suggested this after failing to secure assent for his first suggestion. (24)

Goderich's state of lethargy continued, and though pressed by Howick, he failed to bring forward a detailed scheme for financial relief as promised. The early part of 1832 brought news of a slave uprising in Jamaica which had been brutally

(24) Memoranda by Howick, December 6th and 8th, 1831. Slavery Papers.

suppressed (the colonists extending their persecution to dissenting missionaries whom they accused of inciting the slaves to revolt), and also of the indignant reception given by the Chartered Colonies to the new Order in Council. The latter news led the West Indian body in London to press for a Committee of the House of Lords to investigate the whole West Indian problem. On April 17th, the Government concurred in a Resolution moved by Lord Harewood, which stated:-

"That a select Committee be appointed to enquire into the Laws and usages of the several West Indian Colonies in relation to the Slave Population, the actual condition and treatment of the Slaves, their habits and dispositions, the means which were adopted in the several Colonies for their progressive improvement and civilization, the degree of improvement and civilization which they have at present attained; and also to enquire into the distressed condition of these Colonies."

The result was a Committee of twenty-five, fourteen of whom were large slave-holders, whilst six were definitely pledged to oppose all the measures of Government. (25) Howick had been opposed to concurring in the appointment of this Committee, and was aghast at the poor showing of Government speakers in the debate upon the subject:-

" it was impossible for the most careless observer to fail to discover that there was a difference between the tone and

(25) Memo by Stephen on appointment of Lords' Committee, April 23rd, 1832. Slavery Papers.

spirit of Lord Goderich's speech and that of his despatches which could only be accounted for by supposing that he had not been the real writer of what was printed in his name; and it was equally clear that no other member of the Government felt himself responsible for, or even knew what had been done on this most important subject." At the same time that Howick wrote this he was also urging Earl Grey to replace Goderich by Stanley, even though such a step would be disagreeable to himself personally, and to ensure that another member of the Cabinet - perhaps Lambton - made himself thoroughly acquainted with the West Indian problem:-

"Every day is adding to the mass of unanswered despatches which are now waiting and must wait until it is finally determined upon what principle the Government intends to act." (26) In fairness to the Government it must be remembered that the more important question of the Reform Bill had absorbed much of their attention.

For the Colonial Office the immediate problem was whether to suspend the Order in Council in the Crown Colonies whilst the Committee was sitting. Stephen could see no other alternative; among other factors the King was in favour of this course. (27)

(26) Howick to Earl Grey, May 29th, 1832.

(27) Draft of Circular Despatch to Governors of Legislative Colonies, May 1832. William IV's remarks overleaf. Slavery Papers.

Howick was for maintaining it in force in the Crown Colonies, and resisting a call for its suspension on the ground that it would be wrong to make a change in the existing law before it was proved that such was desirable. Revoking the Order in Council, he argued, would lose the Government the confidence of the large Anti-Slavery Party in the Commons, and make more likely a motion for the abolition of slavery. He agreed that it would be a 'gross inconsistency' to carry the Order in Council into execution whilst the Committee was sitting, and that the appointment of the Committee itself was not a very intelligible proceeding, but this could be justified in the Commons by the difficulty of the Government in resisting such a motion in the Lords. It was decided to maintain the Order in Council in the Crown Colonies. (28)

During the early months of 1832 Howick had begun to feel that the whole policy of the Government on the slavery question was wrong. The inability of the Government to enforce the provisions of the Order in Council even in the Crown Colonies was one major factor which brought him to this decision. The news of the Jamaican revolt, plus the reports of the Protectors of Slaves in the various colonies - especially those of Captain Elliot from Guiana - were other factors. It was becoming

(28) Memo. by Howick April 27, 1832. Memo. by Stephen April 23, 1832, and Howick's Remarks on Stephen's Paper, April 25, 1832.

increasingly clear that the policy of amelioration was a failure. The suppression of the Jamaican revolt and the persecution of the missionaries excited great indignation in this country, and with the struggle for the Reform Bill over, the public began to concentrate its attention on the slavery problem. The abolitionists secured increasing support and indeed a Committee of the Commons had been established at Buxton's insistence to discuss speedy ways of emancipation. Meanwhile in the colonies the planters were determined to resist the policy laid down in the Order in Council, whilst the slaves were becoming increasingly restive at the news of the efforts being made for their relief. (29)

Howick's mind was moving towards a different solution to the problem than that hitherto tried, and the first important step towards a new policy was outlined in a memorandum of July 3rd, 1832, which dealt with the effects of a land tax as an accompaniment to emancipation. It had been agreed that should emancipation take place it would spell the ruin of the sugar industry, the major industry of the West Indies. Sugar planters depended upon manual labour, and the only labour force available was the slaves. It was expected in the event of emancipation that the free negro would have no desire to continue a routine of daily labour on the estate where he had been a slave, but would take to the woods, procure a provision ground, and grow

(29) Howick's Memo on Slavery, written in 1884.
Slavery Papers.

upon it sufficient food for the subsistence of himself and family, spending his time when not so employed in idleness. Howick attempted to find a remedy for this problem.

The main argument of this memorandum is based on the Wakefield theory. In the West Indian colonies there was a vast extent of land which with little labour could yield subsistence for negro families. Howick agreed that it would be the natural reaction of the negro to live in the fashion described above. In the West Indies, unlike Australia, it would be impossible by immigration to add to the density of population so as to give rise to a greater demand for land and so increase the value of the latter, but the same result could be achieved by the imposition of a land tax; if this were made sufficiently high the negro would not be able to work full-time on his provision ground but would have to find further employment to raise the money to pay the tax. As the demand for any produce he could raise for purposes of sale would be strictly limited, where else could he find the necessary money except by working on the sugar plantations? At the same time slave-owners could be compensated for the loss of their slaves by exempting from the tax the plantations now cultivated by slave labour. An efficient police force could be established for the prevention of vagrancy and the illegal occupation of land, and a body of men sent from this country to act as magistrates to decide differences between the ex-slaves and their former masters. It could also be arranged that ex-slaves would not be able to leave their

Plantations until they had paid their masters some small sum, to earn which they would work for wages fixed by a magistrate; by the time this small debt was discharged, the negroes might see the advantage of regular employment as a means of paying rents and purchasing supplies.

Stephen gave a rather hesitant approval to the scheme. The main difficulty he believed would be owing to the fact that the object of the legislation would not be understood, and the plan's advantages not appreciated. (30) Taylor declared that it was impractical to impose such a tax, or if imposed to levy it. The imposition of the tax in the Chartered Colonies would be the responsibility of the colonial Assemblies, and they would never consent to it. Taylor also agreed with the demand of the planters that if emancipation took place they ought to be compensated before the ^{la} selves were set free, whereas Howick's schemes of compensation rested on too complicated and speculative a basis. To the argument about the tax and the reaction of the Assemblies, Howick propounded a rather violent and startling solution:-

" ... what is to prevent our treating the charters of the W.I. colonies as so much waste paper? The colonists have neither the moral nor the physical force necessary for offering the slightest resistance to the wishes of this country."

(30) Stephen's Remarks on Howick's Memo.
July 6, 1832. Slavery Papers.

This was strong language for a man who had hitherto argued that amelioration of the condition of the slaves should go hand in hand with the conciliation of the planters. As for compensation, Howick denied that the planters had a right to expect compensation in money from the tax-payers of this country for the abolition of slavery, after all their frauds to prove that the conditions under which the slaves lived compared favourably to those of English labourers. The most that Howick would do for the planters would be to guarantee them a supply of labour and to take measures which would ultimately increase the value of their land. (31)

Whilst the Colonial Office debated the pros and cons of a land tax scheme Howick was becoming increasingly concerned over reports of serious unrest in the West Indies. These reports finally convinced him that there could be no security, no safety from the fear of further slave outbreaks, whilst slavery itself continued to exist. The only remedy was to follow the formula prescribed by Captain Elliot, whose reports from ²¹Guinea exercised great influence over Howick:-

"Give all that ought and can be given, at once." (32)

The result of Colonial Office deliberations was embodied in another important memorandum of Howick's entitled "Policy of the Present Government on Slavery" and dated December 1, 1832.

(31) Memo by Taylor, August 15, 1832, with pencilled remarks by Howick. Slavery Papers.

(32) Extract from a letter of Captain Elliot, Oct. 9th. 1832, Slavery Papers.

This was sent to all members of the Cabinet. It urged the Government to give its full attention to the problem before the meeting of a new Parliament. Howick attempted to show the failure of the policy of amelioration, and pointed out that a new House of Commons would prefer a scheme of emancipation. The Government could leave the matter in the hands of both the Committees of Parliament, but this would not be creditable to His Majesty's Ministers; alternatively the Government could produce its own scheme of emancipation which ought not to be laid before the Committees because of the delay that would ensue. The whole problem could be settled, Howick at this time believed, by requiring regular labour from the working population, paying the labourer a fair remuneration for his toil, appointing magistrates to decide disputes between employers and employees, abolishing punishments inflicted by the former, and by ensuring that the right to the services of labourers was no longer transferable apart from the land they cultivated. These were the ideas of Captain Elliot and Howick in a note dated March 29th, 1833, written on this part of his memorandum makes the comment:-

"When the paper was written the extreme difficulty of framing the details of a measure by which the negroes should be attached to the soil had not occurred to me, and I had adopted without sufficient consideration the common notion that there should be some gradation from slavery to entire freedom."

Howick was convinced that the more reasonable of the West Indians

would not oppose this plan; it was to their advantage to see the end of the unrest. The memorandum ends by stating categorically that the Government must have some decided scheme to present to the new Parliament, and that a repetition of the feebleness and irresolution of the last session must be avoided. If the present plan were adopted, in later years its measures "may be made to appear to all who are not acquainted with their real history, the consequence of that mature and statesmanlike deliberation from which they ought to have proceeded."

On December 5th, Howick wrote to Lord John Russell, to whom he had sent papers on the subject, asking him to press for decisive action, and detailing a conversation he had had that day with Sir William Struth of St. Vincent, and Colquhoun, the Agent for that island; after putting forward the basis of his plan, which he was careful to say was his own not the Government's opinions on the subject, Howick had convinced them that there was at least a possibility that the drift from the plantations after emancipation could be checked or even halted. He had also hinted that if the colonists facilitated emancipation a considerable loan might be granted to them, and the West Indians had attached great importance to this suggestion. In reply, Russell stated that it was dangerous to proclaim immediate emancipation, but that the more odious parts of slavery should be done away with, and suggesting those very measures

which Howick had now decided should form part of a full scheme of emancipation, not a mere gradual progression from slavery to freedom. On January 1st, 1833, Howick sent Russell his reconsidered scheme for the full abolition of slavery to take place immediately. He showed the weakness of a system of mitigated slavery, where the master cannot compel his slaves to work from fear. How would a magistrate determine when corporal punishment was deserved? According to Howick, Russell's scheme merely differed from the present one in giving the labourer money in place of supplies. Using that classical economical argument that wages must be a matter of agreement between labourer and employer, and must be regulated by a demand for labour and the value of that performed, Howick showed that Russell's plan did not take account of this, and that the payment of a fixed rate of wages to the slaves would not answer the problem. The essential condition for a free man is that he is induced to work by motives acting upon his reason, and that he can refuse to work for the remuneration offered him. This would not apply to the slaves according to Russell's plan and they would resist it accordingly, whilst the master's control over them would be severely limited by taking away the powers of punishment from him. Howick concluded by observing that his plan would not probably "enable the planter to produce anything like the quantity of sugar he now does, but I think it will enable him to raise a smaller quantity at a

less expense, and if so of course he need not be any loser." (33)

Howick attempted to convince his father and other ministers of the virtue of his plan. On January 7th, 1833, he issued a second paper giving a full account of his matured plan. The two difficulties to be overcome were the poverty of the planters and the fact that the negroes might not, if they could procure land easily elsewhere, wish to labour on the plantations. Using Gibbon Wakefield's theory of land and population, he dealt first with the latter problem. The condition of Ireland offered a clue as to how the fear of negro idleness could be overcome:-

"The Irish peasant is perfectly contented if he can have the shelter of a cabin no degree superior to the hut of the Negro; the potatoes and tattered coat of the former are little more expensive and certainly less sufficient for his comfort than the clothing and food of the latter. Yet the Irishman will work from morning till night for sixpence a day.... because he inhabits a country in which population is so dense and the competition for land consequently so excessive, that he cannot obtain the smallest plot of ground whence he derives his support without paying for it a price which compels him not only to accept employment when offered to him, but to seek for it as the greatest blessing he can obtain. The Jamaican Negro maintains himself like the Irishman by the produce of an acre or two of land; but instead of paying for it a rent of six or seven pounds an acre, he has it for nothing."

(33) Memo. by Russell Dec. 8th,; Howick to Russell, Dec. 5th, 1832, and January 1st, 1833.

The way to remedy the situation in the West Indies would be to impose a tax upon land. Howick proposed that when the slaves were free that there should be a uniform tax on land (this replaced a more cumbrous and complicated scheme for a graded tax which he had advocated in the earlier plan). The only land to be exempt from the tax would be that which for the last two years had borne a crop of sugar or other exportable produce. A high price should then be placed on all remaining Crown Land. Provision grounds and huts should be declared the property of the planters, and the growing crops should belong to the slaves on payment to the masters of half a year's tax. All landowners would have to make a return of their land, with penalties for non-compliance, whilst land and crops would be liable for seizure for non-payment of the tax. Illegal occupation of land would be punished by forfeiture of crops and other property plus three months' hard labour in the Parish Work House. Stipendiary magistrates would have summary jurisdiction in all disputes between employers and employees. The Vestry of each Parish was to impose a rate on all land growing provisions to defray expense in supporting negro children, and the old and infirm, who were without relatives. All other Colonial taxes were to be repealed, except those imposed by British Acts of Parliament for the regulation of trade, and such importation duties as may be required to prevent home produce of the islands from being placed in a disadvantageous position by the land tax.

The land tax was to make good the revenue lost by the repeal of other taxes, to meet the expense involved by a necessary increase of the Surveyor-General's Department, and was to pay the salaries of the Stipendiary Magistrates, leaving after all this a surplus. A loan was to be raised on the credit of Great Britain to enable planters to discharge existing encumbrances on West Indian estates; the loan would bear five per cent interest and would be secured on the mortgages on estates relieved. Each colony would be responsible for the payment of interest and the gradual discharge of the principal. The security to Britain for the loan would be the sums recovered from the mortgages, the produce of the parliamentary duties, and the surplus of the land tax.

The exemption from tax of land under sugar cultivation, plus the repeal of the Colonial taxes, would prevent the change of system from ruining the planter, and would enable him to pay wages to the employees. Exemption from the land tax would in some measure restore estates to their value before the emancipation of the slaves. The loan would also be of great benefit to the planters, who usually had to pay at least ten per cent interest on the loans they raised. As the loan could be effected on the credit of Britain for $3\frac{1}{2}$ per cent or four, whilst the planters could be charged five per cent, a fund would be created as a guarantee against any partial ^{loss} ~~loss~~.

As the very existence of slavery depended upon the support given to the planters by the military power of Britain, it was

only fair that the latter should prescribe the terms of emancipation, but she could not tax the Legislative Colonies herself. Howick proposed that an Act of Parliament be passed declaring that from a certain date slavery was to be at an end and that all the King's subjects would then be entitled to full civil rights. As soon as slavery should cease arrangements would be made to assist all colonies, by way of loan, which would pass acts to secure the repayment of the advance by the imposition of the proposed land tax and the other regulations. A reduction of duties on colonial produce would also take place at the same time as the abolition of slavery, and those colonies which carried out the latter before the date prescribed, would have the immediate benefit of such reductions. The whole plan if adopted should be submitted to the Committee of the previous session. The King's Speech should mention the subject, and the Government should act before the question was forced upon them.

Such was Howick's final plan. Its main emphasis, its keystone, is the land tax, and one of the things which will be first noted about this tax was the immense productivity Howick expected from it; indeed this is one of the most striking features of the plan. The observations of the Earl of Mulgrave, Governor of Jamaica, are very interesting and important in this respect. Mulgrave believed that Howick's plan depended for its success too much upon the co-operation of the Assembly whose members, certainly not the most sensible part of the community,

were part and parcel of the system of slavery, being overseas attornies and the like. Such people would not see the advantage of a land tax, they would not vote for it, nor would the negro pay it. Too many objects were to depend upon the productiveness of the tax:-

"... I have been on horseback, by bridle roads, over all parts of the country", Mulgrave informed Goderich, "and I have generally seen the Negro provision grounds (not the gardens) in the wildest part of the country at some distance from the bye path I was travelling and almost inaccessible except to those perfectly acquainted with the country, from being situated either on the side of a mountain or the foot of a precipice. You have read accounts of the Maroon War. The scenery there described is not peculiar to that spot, but such is the situation of a very great number of the negro Provision grounds... they would remove their residence there the moment emancipation no longer confined them to the neighbourhood of the ^{Es} State ... Only think of the expense of the machinery necessary to raise such a tax on such a ground, supposing even there was no active resistance to its collection ... But if there was? How is it to be enforced? The tax gatherer could find nothing on which to levy - the owner would be in the woods. His goods would consist of nothing of any more value than a few plantains and yams. It would not be like the case of a runaway... he is known, marked and caught, but with freedom would come impunity

in a great measure from the difficulty of identifying when all were permitted to go at large."

Mulgrave agreed that many negroes would work and pay the tax at first, "but I am only anxious to guard against the impression ... that any considerable revenue could ever be derived from a Tax, which must I should be afraid be nearly absorbed in the expenses entailed by the difficulty of its collection." One objection to the whole plan was that there was no official survey of land in Jamaica:-

"There is a person with the title of Crown Surveyor; but he has no regular appointment as such ... he has no documents of any authority in his office nor does he appear to me to have any accurate general information.... I have found it impossible to make out what is still Crown Land. His idea seems to be that there is not a great deal which has not already been patented. There ought to be Registers in the Secretary's office of all grants, but I am told that it is supposed that many have never been registered. There are however certainly no diagrams." Before a land tax could be levied much time and expense would have to be incurred to produce a survey. Mulgrave also supported the principle of individual compensation for loss of the slaves. On the whole he thought Howick's plan too abrupt, and himself favoured a more gradual system for a population 'part bedlamite' and 'part savages'. Much would depend upon whether there was to be liberal compensation for loss of slaves. (3 4)

(34) Mulgrave to Goderich, March 2nd, 1833. A copy in Slavery Papers.

Such were some of Mulgrave's main objections and they constituted a formidable argument from an authoritative source against Howick's plan. The plan, sound in theory, was being criticized by a man with experience of West Indian affairs, and who was not a planter but an official servant of the Government. Mulgrave's objections did not reach England till Howick was out of office, and though the latter believed them capable of answer, as his plan was by this time rejected, he never took the trouble to answer them in detail, beyond stating that it was precisely the character of the Assembly that made him favour immediate emancipation, as he had learnt by experience that no schemes of amelioration would work without the cordial co-operation of the planters; if the slaves were declared free they would be so, and if the colonists refused to take measures for securing their labour after emancipation, it would be the planters' own fault and loss.

In January, 1833, a Committee of the Cabinet considered the plan, Howick being present. The Committee comprised Althorp, at whose house the meetings were held, the Duke of Richmond, Sir James Graham, and Lord John Russell. The plan received a somewhat hesitant approval after being altered in various ways, and the whole question was submitted to the Cabinet.

Goderich was authorized by the Cabinet to communicate the substance of the plan to the West Indian body in London. A deputation of five, appointed by the Standing Committee of

Merchants, and without any power to accept or reject a proposal, received the communication. Howick believed this deputation represented the violent element in the West Indian body. He thought that if the Government had firmly announced its object was to adopt the plan, and had promised sufficient compensation in the shape of a loan, the hostility shown by the deputation would have been overcome. (35)

There was a division of opinion in the Cabinet over the whole scheme, the Chancellor, Brougham, was opposed to it; his opinion carried great weight with Lord Grey, especially when the latter remembered that Brougham was opposed to the continuance of slavery. Lord Goderich did not have the necessary ability or thrust to defend vigorously the scheme which had after all emanated from his office.

On February 7th, Howick alarmed at the Government's delay in coming to a final decision, wrote to his father about the whole problem. Only the previous night Althorp had committed the Government to bringing forward some measure for the settlement of the question that session. Three weeks had elapsed since the Cabinet Committ^{ee} had met, and they had considered that the abolition of slavery had been decided upon; various people had been informed to this effect. Now changes of intention were clearly discernible, especially an article in the "Times"

(35) Memo. on Slavery, written in 1884,
Slavery Papers.

attributed to the Chancellor and denying that emancipation was contemplated. Ellice, believed to be in the confidence of ministers had declared emancipation 'impossible', and the meetings at Lord Althorp's had been suspended. As some definite stroke of policy would have to be carried out, and as Howick's plan was the only one so far proposed which would have a chance of success, Howick believed that the Government ought to persevere with it. He emphasized the dangers of delay, and referred his father to Captain Elliot - who had just returned from ~~Guinea~~^{Guinea} - for a personal account of the mounting unrest there.

In personal meetings with his father Howick continued to press his point of view, but Earl Grey was very dubious about any scheme which would have to be carried against the declared opposition of the planters, and feared forcible resistance from that body. Howick wrote a further paper on March 18th to attempt to convince his father that armed resistance to the plan was a mere chimera, and that bloodshed would not result from immediate emancipation; certainly the negroes would have no desire to commence their freedom in an orgy of rioting: he dismissed as unsatisfactory schemes of amelioration and apprenticeship. On March 22nd, Howick wrote to Brougham urging him to support emancipation in the Cabinet, and enclosing his paper of March 18th; to this he received no answer.

On Saturday, March 23rd, Goderich informed Howick that the Cabinet had finally decided to abandon his plan, as it could

not be carried into operation against the will of the planters. He had been directed to see the deputation of the Standing Committee to inquire whether they had anything further to offer. Howick protested against the weakness and folly of this course, and attempted to persuade Goderich to insist on the original plan in the Cabinet. The next day Howick saw both Althorp and Earl Grey on the subject of the Cabinet decision. Althorp, who was on the whole favourable to Howick's plan, confirmed the fact that the Government had decided not to take any steps without the support of a substantial section of the planters, and that if this were unobtainable, the Government must break up before April 23rd, on which day he had pledged himself to bring forward some measure which would satisfy the Commons. Earl Grey was irremovable in his objections to his son's scheme, especially as the Chancellor - who favoured emancipation - was strongly opposed to it. Howick stated that he felt so strongly on the subject and was so publicly committed that he must support Buxton when the matter came up for discussion and the Government had no satisfactory alternative. He, therefore, thought it would be better if he resigned immediately, but on his father objecting to such a course, Howick promised that he would only resign should the Government publicly commit itself to opposing emancipation in the present session.

On March 26th, there was a meeting at Althorp's of the former Cabinet Committee plus Earl Grey and Howick, but this

separated without in any way being nearer a decision. Immediately after the meeting broke up Howick remained to discuss with Earl Grey and Lord Holland the possible retirement of Goderich from the Colonial Office. Earl Grey was perturbed at the possibility of Stanley resigning; he ^{regarded} ~~quoted~~ Stanley as one of the most brilliant members of the Government, but his Irish policy had made him unpopular with many people, and he had announced that he would not remain in the Cabinet after Easter unless he was made one of the Secretaries of State. Earl Grey was convinced that the Government would break up without Stanley, and hence the desire to see Goderich give up the Colonial Office. Palmerston and Melbourne, the two other Secretaries of State, would never have considered the idea of their making way for Stanley. Howick acknowledged that Goderich was unfit for his situation, and that it was unlikely that he would ever be brought in Cabinet to give a decided opinion either in favour of Howick's plan or a modification of it. On the following day, March 27th, Howick was informed by his brother, Charles, that Goderich had accepted the Privy Seal; after the levee, Earl Grey summoned Howick and asked him how he stood affected by the change at the Colonial Office. Howick replied that he had no wish to remain under Stanley's direction. Not only was his cherished scheme rejected, but under Stanley Howick realized that he would play no part in formulating policy, he would be restricted in fact not theory to the role of Under-

Secretary. Writing in 1884 on these events, Howick described how Goderich, if stronger-minded, could have acted in a dignified way over this change of office; he could have insisted that he had no desire to leave office until the slavery question had been settled by the acceptance of the plan proposed by the office of which he was the head, and that if this had then been refused, Goderich could have resigned with honour, but knowing Goderich's character Howick did not suggest this course to him.

Earl Grey had spoken of making Howick Secretary at War. This post was first to be offered to Ellice. Howick stated that though he had no wish to be ⁱⁿ office he would accept the offer unless something connected with the slavery question rendered his acceptance impossible. However, Ellice accepted the position. Earl Grey then talked of the Under-Secretaryship at the Foreign Office, then held by Sir George Shee, but Howick disliked this proposal 'telling him that after having had all the power and authority of a secretary of state I could not become a mere clerk.' (36) On April 3rd, Howick took leave of the Colonial Office.

On March 30th, Howick had written to Stanley urging him to save the son from the necessity of opposing the father's government. On April 4th, Howick had the first sight of Stanley's proposal when he was shown a rough sketch of it by his father. Howick expressed himself as astonished at the

(36) Fragment of a Journal, March 16th-June 13th, 1833, being mainly a narrative about the slavery question. April, 28th, 1833.

crudeness and vagueness of an ill-digested scheme for substituting apprenticeship for complete abolition - perhaps the crudeness was not surprising, considering the speed with which the plan had been drawn up. On May 5th - Buxton having consented to have the question postponed until May 15th - Howick received a fuller outline of the plan, and informed his father that he was unable to support it. During the next few days Howick made it clear to Stanley and Earl Grey that when the plan was brought before the Commons he must oppose it. He maintained that the plan retained too many of the elements of slavery, favoured the interests of the masters rather than those of the slaves, and that it could even prove of poor benefit to the masters, for with the powers of punishment vested in a magistrate, how was a master, without the whip, to compel his apprentices to work?

Buxton, when he heard of Stanley's proposed Resolutions, urged Howick to move an amendment to them, and Howick favoured the idea. Not so Earl Grey, who believed that it would not be right should Lord Howick's amendment turn out Earl Grey's Government. Howick, however, drew up a series of counter resolutions to serve as an amendment to Stanley's. Both Wood and Howick's brother, Charles, were against him taking a prominent part in the matter, and were displeased when he ignored their advice. Charles Grey, who disliked Stanley's scheme, nevertheless decided to vote with the Government; he so informed Howick on May 13th, and at the same time enclosed a letter from Lady Grey:-

"expressing in a manner I thought very unjust her and my father's annoyance at my taking so active a part against a measure of the Government, and at my "canvassing" for votes against it. I wrote back to say that I had not organized factious opposition, that on the contrary my communication with Buxton had had for its object to prevent the possibility of those who for opposite reasons objected to the Government plan voting together; that I had abstained till the very last moment from even stating to my friends (with one or two exceptions) that I had differed from the Government... and had resigned in consequence, and that I had been quite ready (great as that sacrifice would have been) if Stanley would have brought forward a complete measure to have given up all claim to be the person to bring it forward - I had an answer to say that I had misunderstood my mother's letter (which was not so)". (37)

So not only did Howick find himself deeply involved in disputes over emancipation, but he now found himself the object of recriminations from his own family and friends. So strong was his conviction that he was right and Stanley wrong that these personal disputes were of no effect in causing him to swerve from the course he had determined to adopt.

On May 14th, Stanley outlined his plan in the Commons. Howick answered him in a speech lasting two hours, but he was dissatisfied with this, having been rather 'put out' by 'the

excessive inattention of the house which proceeded partly from their being fatigued by the long demand upon their attention of Stanley's three hours speech, partly (as I have since been told) from their disapproving my conduct in coming forward so prominently in opposition to the Govt.' The following day he was told by his father that his action had been against the feelings of the House, and that many had expressed their disapprobation by walking out; after dinner on that day Lady Grey attempted to convince him that he had followed a wrong course and that he ought now at least to abandon his opposition.

plan Buxton and his colleagues were reluctant to oppose Stanley's vigorously; they believed it to be the best offer they were likely to get. Instead they hoped to modify it by making it more favourable to the slaves. This was not Howick's intention. The Anti-Slavery party in the Commons, therefore, left to Howick the task of entirely opposing the plan.

Buxton announced on May 30 that he would support Stanley's Resolutions, reserving opposition to parts of them to a later stage. Stanley at the same time announced that the projected loan of £15,000,000 was to be converted into a gift. Howick considered that he had not been fairly treated by Buxton who had pressed him to take a prominent part in the question; he attempted to convince Buxton that it was necessary to oppose the second and third Resolutions which would pledge the House to the principle of apprenticeship, but without success. The first

~~The first~~ Resolution, announcing the principle of emancipation, was passed unanimously on June 3rd. Four days later the second Resolution was passed; Howick, after a twenty-minute speech against it, left without voting. Buxton considered moving an amendment to the third resolution reducing the period of the compulsory retention by the master of his negroes' services to a year; Howick wanted simple opposition to the Resolution, in the hope that all pledges as to the mode in which emancipation was to be accomplished would be avoided until Stanley presented his Bill. Buxton promised to comply with Howick's suggestion; in the debate on June 10th, Buxton, being urged to withdraw his motion, 'got up and said he would do so if Stanley would consent to introduce the words "for wages" into it, thus', wrote Howick bitterly, 'he altogether threw me over'. Stanley would not agree to the words suggested. Howick in his Journal then states what followed:-

"Upon this I got up and said that I perfectly perceived the impossibility of his consenting to the introduction of the words because as he had just said his object was to keep the negroes still in a state of modified slavery, this produced a groan in the House upon which I said still more strongly that I knew of no more accurate definition of slavery than that which Stanley had just given in describing the condition in which he proposed to place the apprenticed negroes, and that the house ought to understand that the question on which we were

about to decide was whether the negroes were or were not for 12 years to be 3 parts slaves and only 1 part free. I said this I am afraid in an acrimonious manner which was evidently very much disapproved of by the house; Lord Althorp denied the justice of my way of putting the question with more asperity than I almost ever knew him to shew."

Buxton declined to press his amendment, which was taken up by O'Connell. During the debate Stanley proposed raising the money to be paid in compensation to the planters to £20,000,000.

On the 11th, Buxton proposed an amendment stating that ten million pounds of the compensation money should be given only after the expiration of the period of apprenticeship. Howick believed 'this was well imagined and well done, the only single thing from the commencement in which he has not shewn himself utterly deficient in management.' The amendment was rejected by 276 to 142, and the Resolutions duly passed the Commons.

The only advantage gained when Stanley's bill was introduced was the reduction of the period of apprenticeship. Howick's part in these proceedings involved him in further disagreeable disputes with his family. Lady Grey accused him of ill behaviour towards his father, and of taking part in the House of Commons only in those subjects on which they differed, whilst Earl Grey informed his son that his conduct was causing him the deepest

regret. (38) In a letter of July 30th, Earl Grey spoke of the communications he had had from various quarters to show the injury which Howick was doing his own character and reputation by his opposition to his father's government, and enclosed two of them as samples, one from Duncannon, the other from Lord Eldrington; the latter spoke of 'the deep dissatisfaction and disgust which has been excited among our Friends by Howick's bitter and vexatious opposition to the Slavery Bill.'

The last occasion in the passage of the Bill in which Howick played a prominent part was on July 31st. Buxton's motion for postponement of half the grant until apprenticeship expired was under discussion. Howick, in consequence of his father's letter had intended not to take part, but Patrick Stewart attacked him personally, quoting an extract from one of his speeches in 1831 against immediate emancipation, 'and saying that time and place were the most powerful agents in changing the opinion of men and that it was clear mine could not have been changed by the former... I expressed in the strongest manner my contempt for the insinuation against me, and stated the circumstances of my resignation. I then went on to argue in favour of Buxton's motion...' (39) Yet perhaps Patrick Stewart may be pardoned for his insinuation; for what more natural? Here was a man who had produced a scheme of emancipation

(38) Journal, June 20th, 1833.

(39) Journal, August 1st, 1833.

which was not accepted by the Government, and who had in addition lost his place in a governmental re-shuffle (it was not known that he had wished to relinquish his post when Goderich left, or that he had decided to resign over the slavery question; in consequence of his father's wishes Howick's loss of office had been made to seem part of a general redistribution of places in the Government). A disappointed, ambitious man finds himself and his favourite plan discarded by his own father's government; therefore, in revenge he leads an opposition against his rival, his rival's plan and his former colleagues. It was not the truth but it sounded plausible, and, even unaware to Howick, there may have been an element of personal disappointment which entered into his opposition to Stanley's scheme. If Howick had been a tactful man, quick to sense political moods - a man of his father's stamp - he may have abstained from a course likely to be misconstrued by friends and foes alike, but tact was never to be his strong point, nor was sensitivity to the feelings of the House of Commons. In his later political career there are many examples of his lack of political sense. Howick was a man of fixed principles, who once he became persuaded of the soundness of a particular scheme, clung to it with dogged determination; hence he was convinced that on the question of slavery he was right and Stanley wrong, and that it was his duty to show this to the Commons, even at the risk of personal unpopularity.

Writing in 1884 a memorandum on the slavery question for

the benefit of a friend, Howick, then third Earl Grey and of very advanced years, had in ^{no} one sense altered his views on the whole question. He pointed out the fact that apprenticeship had been a dismal failure, and that the Colonial Legislatures had themselves recognized this by ending it a little more than four years after it came into operation. Concluding on a typical note, he pointed to the disappointing condition of the negroes at present (1884), and concluded roundly that they would have advanced greatly in the scale of civilization, 'if even ordinary judgment had been displayed in the mode of effecting a necessary change in the state of society...'

Thus ended Howick's first connection with the Colonial Office and a very useful apprenticeship it had been. He had been more fortunate than most Parliamentary Under-Secretaries in that in most cases he had behaved as if Secretary of State himself, and had seen some of his own ideas become official Government policy. As a result of these years he never lost his interest in Colonial affairs; indeed he made them his speciality, and even in the years when he held another office, he continued to take an active part in colonial measures, and in deciding or attempting to decide the policy of the Colonial Office.

These years had shown some of Howick's strong points and also some of his foibles. They had revealed him as an energetic administrator, as a man capable of taking decisive action when required, and with a liberal and open mind towards colonial

Maria certainly did not wish to see her husband at the Colonial Office:-

"I think H. would fag himself to death and Canada is in such a bad state that the anxiety would be very great."

Indeed her sentiments went further than this:-

"I am very unhappy at the necessity there seems to be of Henry's embarking with this most crazy Government - many of whose members differ from him most widely in their principles and want of principle and when Ld. G. had settled not to have any part in it the dearest wish of my heart was that Henry should have none either." (3)

When Charles Wood mentioned to Howick Earl Grey's feeling with regard to the Colonial Office, Howick's immediate reaction was that it was too important a post to go to one who had served such a brief apprenticeship in office, and he repeated this to Lady Grey:-

"I said that the place in itself would be a most delightful one but that I should not like to go into a Government, knowing that many of my colleagues were justly dissatisfied at my being placed too high." (4)

However, Lord Melbourne was not the sort of person to be dictated to, even by Lord Grey, and the Colonial Office went to Charles Grant, later Lord Glenelg, like Melbourne a former Canningite. A very unfortunate choice this, as events were to prove.

(3) Journal, April 16th and 17th, 1835.

(4) Journal, April 11th, 1835.

On April 18th, Howick was sworn in as Secretary at War with a seat in the Cabinet; this post he retained till August 1839. It was certainly, so far as Howick was concerned, not destined to be a period of calm, and many were the times when he came to the brink of resignation. He was one individual of strong opinions and a desire for decisive action among a far from heterogeneous group of colleagues, often of more timid - or more politic - views, and ranging through every shade of opinion loosely classified as 'liberal'.

Lord Melbourne was diametrically the opposite of Howick in character. He was at his best in the world of society, where he was in great demand, amusing the company with the latest cynical utterance. Howick certainly never shone in society; he, having no inexhaustible fund of 'bon mots' was never in great demand. However, finely tempered cynicism and 'bon mots' do not necessarily make a Prime Minister, though they may help towards it. Lord Melbourne cannot be acclaimed for the way he sustained the latter role; undoubtedly he had great talents - when he cared to exercise them - but with these went a constitutional disposition to procrastinate, to hold by the adage, 'leave well alone', and he seldom could bring himself to give a lead to his colleagues in the cabinet, or when necessary impose his authority over them. Such a man was out of his element as leader of a 'liberal' ministry, for he was profoundly sceptical of anything that scented of innovation, and could never be brought

to advocate anything novel or anything to meet a situation which might arise in the future as opposed to the present.

The most talented member of the Administration was Lord John Russell, Home Secretary and leader in the Commons. With him Howick was usually on very friendly terms, though their relationship became strained at times, particularly in the later years of the ministry. Russell was a man Howick could admire; he was an industrious politician and decisiveness was part of his character. Russell, however, did not fit well into a team, which is essentially what a Cabinet should be. When possessed of an idea he believed sound, he was apt to announce it to the world, committing his colleagues even without preliminary discussion.

Lord Palmerston was another prominent member of the Cabinet. He carried out the foreign policy of the country in his own cheerful way and according to his own views; he pursued this course whatever the doubts and dislikes of his colleagues. Melbourne's reluctance to control his colleagues was ideal from Palmerston's point of view. Conservatives like Lansdowne, to people of a more radical temperament, like John Carr Hobhouse, made up the rest of the Ministry.

Howick himself was not the ideal person for working with a team of about a dozen colleagues. He was not apt to be charitable when it came to other men's failings; he could not suffer irresolution, procrastination or timorousness gladly.

Upon opinions on which he held strong personal views he became readily exasperated when those whom he believed to be comparatively ignorant of the matter in hand disagreed with him. He was in love with bold and imaginative political decisions; for instance when the House of Lords proved such a graveyard of liberal measures, whereas most of the Whigs were resolved to abide by the situation, fearing any attempt to alter the 'status quo', and seeing only evils in any attempt to remedy the intolerable position, Howick immediately accepted a reform of the House of Lords as the only possible solution, and wrote a pamphlet on the subject, outlining his own scheme of reform. (5) He was at his happiest when given a multitude of tasks to set his hand to; on April 22nd, 1835, we find him undertaking to write a paper on Corporations, to 'draw up something' on the Irish Church, and to look into a particular aspect of the Canadian problem. Where he decided there was need for reform in the Government machinery he pressed for it vehemently; not only was there the long struggle for the overhaul of his own office, but he pressed for changes in the name of efficiency elsewhere. Trespassing beyond the ^u bonds of his own Department into those of another, he persistently urged, and eventually secured, the dismissal of Hay from the Colonial Office; such actions, plus the pertinacity with which he adhered to his opinions inside ^{he} and Cabinet and outside, would not tend to endear him to his less energetic colleagues. Well might his colleagues have groaned if they

(5) Journal, Aug. 18th, 25th, 29th. Sept. 4th. Oct. 1st, 1835.
January 3rd, 1836.

could have seen the first impressions of his own office and his first Cabinet as expressed in a letter to his father:-

"I have just returned from our first cabinet and I must confess I am not much impressed with the manner of conducting our business which I do not think calculated to promote our doing things either quickly or well, perhaps it may be better hereafter but there seemed to me a strange want of method in our proceedings, we sat for about two hours without coming to any very definite conclusions.

I came here (the War Office) today for the 1st time and received from Sullivan an account of the general nature of the business, which from what I can make out must be of the driest and most uninteresting kind, so much of it however is mere matter of routine that there will be no occasion for my interfering with it myself, and I shall have a good deal of disposable time for the general business of the House of Commons." (6)

How ominous in the light of events was that last remark! The years of Russell's first Ministry when Grey, as he then was, was very busy with Colonial problems, was a far happier and calmer period of office for himself, and perhaps also for his colleagues.

Further experience of Cabinets and his fellow Ministers did nothing but strengthen his first opinions, and as the years passed, entries like the following, became ever more frequent in the Journal he and Maria wrote:-

"Henry came home low to a degree at the indolence and
(6) Howick to Earl Grey, April 20th, 1835.

and incompetency of some of his colleagues." (7)

Perhaps the best way of giving a picture of the weakness of the Melbourne Ministry (and of throwing light upon Howick's position within it, and also upon his own character), will be to give a selection of extracts from letters to Earl Grey and from entries in the Journal which illustrate these points. It must be emphasized, however, that there were periods when cordial harmony reigned in the Cabinet.

On January 6th, 1836, writing upon the approaching meeting of Parliament, to his father, Howick remarked:-

"there is a degree of apathy in those with whom I am acting and a want of anything like energy and activity in all the departments of the Government which it is inexpressibly galling to me to find myself utterly powerless to overcome. Both Ld. Melbourne and Ld. Glenelg have received very kindly different communications which I have made to them, but nothing is done in consequence, and it seems to me that we are sitting still with our hands before us in a position in which nothing but the greatest activity could enable us to maintain ourselves. Nearly as the time for the commencement of the session is now approaching our various measures are not in a state of any greater forwardness than they were a month ago, and of these not relating to Parliamentary business, and which ought to be completed in this

(7) Journal, July 8th, 1835.

interval of comparative leisure none in spite of my repeated remonstrances appear to make the slightest progress."

In the Journal for August 8th, 1836, is the following:-

"I am much disgusted by the low cowardice and love of place which during the discussion were very apparent in some individuals, altogether the argument was conducted in a manner which evinced very strikingly how totally unequal to the situation in which they are placed most of the members of this Government are, I never was more impressed with the conviction that they are men of a very common place description, and none ^{much so} as Hobhouse."

In November of that same year, Howick complained to his father that:-

"Glenely notwithstanding the state of Canada is still in Inverness... Palmerston on the contrary is I think as much too busy as Glenely is too inactive... he seems determined not to give up his system of interfering which I am more and more convinced was wrong from the very beginning, and though some others in the Cabinet are of the same opinion no one seems inclined to object to his going on as he pleases." (8)

Howick's feelings were not improved in the following year. Apart from the unsatisfactory state of the Canadian question, the efficiency of the Government certainly did not improve, and

(8) Howick to Earl Grey, November 19th, 1836.

in February, Maria could note that Henry was low in spirits, being convinced that the Government would break up "from a want of confidence and cordiality among the Members and ^{from} ~~for~~ the want of an efficient Head... the Government goes on as a departmental one." (9)

By November, 1838, there were reports in the papers of a partial change in the administration being imminent. Howick was desirous of seeing the Ministry strengthened, for to continue their present course, as he informed his father, would mean that they could not long survive the opening of the sessions, 'indeed I feel it to be so little desirable that we should do so, that I am quite resolved to make no further concessions of opinion for the purpose of avoiding the danger of breaking up the administration.' At the same time he was dissatisfied with his personal position within the Government. (10) Among the impending changes it seemed certain that at last Glenely would leave the Colonial Office, a step which Howick had long advocated. Though his post was coveted by Howick his objections to Glenely had not been personal ones, but had been based on grounds of policy; nevertheless he was determined that no one was to be promoted over his head in the Commons to this position. Ever

(9) Journal, February 9th, 1837.

(10) Howick to Earl Grey, November 10th, 1838.

since the disputes over Canada in 1836 Howick had become more and more dissatisfied, and whether unconsciously or not, seems to have been looking for an excuse to resign with honour from the Ministry; perhaps this question of the Colonial Office would provide it. He informed his father:-

"I should have no objection to being called up to the House of Lords if it were proposed to me for the purpose of taking the Colonial Office, but I am quite certain Melbourne will never offer this to me, we differ much too widely in our notions of how the business of the office should be carried on, he is entirely for a policy of inaction and remaining on the defensive while I am no less decidedly in favour of one of a very opposite character. Should Glenely retire.... if it should be determined to replace him by Normanby considering the high situation he now occupies and that he is already in the House of Lords I should have no right to object to the arrangement much as I should dislike it." (11)

The early part of 1839 as well as seeing the retirement of Glenely saw the resignation of the Government on West Indian matters, and the incident of the 'Bedchamber Question' which obliged them to re-assume their offices. Howick grew increasingly dissatisfied with his position - frequently an isolated one - within the Government, and more particularly within the Cabinet, and continued to be disgusted with the actions of his colleagues.

(11) Howick to Earl Grey, November 10th, 1838.

A decision of the Cabinet in February, 1839, astounded him. A Captain Berkeley, one of the Lords of the Admiralty, had written a letter criticizing the Admiralty; Howick believed that he ought to be promptly dismissed, but a majority of the Cabinet were in favour of accepting an apology. "This was because", wrote Howick, "Lord Segrave commands 3 or 4 votes in the H. of Commons and the motive which seems to influence too many of those with whom I am acting is that of doing nothing which they think can offend any powerful party or individual. The consequence of course is that all our resolutions are marked with the impress of feebleness and timidity and that through our desire not to offend we shall view the great contempt of all. This is to me perfectly intolerable and I have great difficulty in restraining myself from expressing my feelings in a manner which would of course give irreparable offence, ... This state of things makes it highly desirable that I should not continue in the Cabinet, but at the same time if I am to continue in public life at all I ought not to quarrel with the only party with which it will ever be possible for me to act." (12) So disgruntled was he that at the time he thought of applying for the Governorship of Canada; if Melbourne refused this application, an excuse would be provided for resigning, on the ground that the Prime Minister had no confidence in him and the course of

(12) Howick to Earl Grey, February 14th, 1839.

policy he advocated. His father, however, objected strongly to such an idea.

Resignation was the remedy to which Howick turned with increasing frequency. He was a man with an exacting sense of duty, and believed in a strict upholding of a man's principles; thus his frequent threats to resign were not solely dictated by a personal need to escape from an embarrassing situation. The trouble was that no Government could be carried on if every member of a Cabinet was so pertinacious in adhering to his own opinions. This fault of Howick's was realized by Maria, when, writing about one of her husband's frequent disputes with the Treasury, she stated:-

" ... in point of fact he (Howick) seems to be right but I doubt whether any Government could be carried on if all the members were so bent upon having their own way." (13)

One other example can be given to show how uncomfortable and isolated Howick's position often was. This was over the question of giving the franchise to ten pound householders in the counties, a move which Russell favoured, but which Howick opposed, holding his father's view as to the finality of the 1832 Reform Bill. In the summer of 1839, Sir H. Fleetwood was intending to make a motion on this very question, and if the Government announced their favourable reception of the idea,

(13) Journal, January 14th, 1836.

Howick was determined to resign. Russell informed Howick that at a Cabinet to which the latter had arrived late, it had been decided that the motion was to be resisted for the present, but that the Government were to say that they would consider the matter, and that it was in conformity with the spirit of the Reform Bill. Howick thereupon announced his intention of expressing his dissent from this view; Russell protested against being answered from the Treasury Bench, and Howick agreed to keep silent, though if he should disapprove of Russell's speech he would resign the following day. Maria's comment on this was: 'So there we are almost out again.' Howick, however, concluded that this was an unsatisfactory arrangement, and begged that he might be able to speak, as he had originally proposed. Russell in return reminded him of Canning's opinions on the duties that members owed to their leader. As it proved, Howick was quite satisfied with Russell's speech - but only because Russell had altered the agreed gist of it to satisfy his colleague. Maria noted the sequel:-

"Mr. Thomson and Sir J. Hobhouse were very angry and I do not wonder for what Lord John said was the very reverse of what had been decided in the Cabinet. They both said they should certainly resign."

and the following day:-

"There was a Cabinet and the indignant members were

very wroth with Henry... However there were no resignations." (14)

In August, 1839, Howick did resign; though he had many reasons on public and personal grounds, it is impossible to believe that he had not more or less been seeking for an opportunity to retire from the Government since 1836, the year which saw the rejection of his views on Canada; though he was in one way sorry to leave office, he must have had at the same time a feeling of relief that at last the frustrations, the squabbles were over, and that he was no longer going to share responsibility for measures of which in reality he disapproved, or to work with colleagues with many of whose views he was out of sympathy. The two great measures he had set his heart on, conciliating Canada and reorganizing the whole system of Army administration, had both been frustrated.

B. The War Office.

1. The question of administrative reorganization.

Howick reaction to his new office was^y as we have seen initially unfavourable. 'He is not much charmed at the prospect of the business he has to do and bored with signing his name about 500 times', so wrote Maria, and she added three days later:-

"Henry is a good deal disgusted with the business in his

(14) Journal, May 31st, June 1st-5th, 1839. Howick to Russell June 2nd. Russell to Howick, June 4th.

office. He says it is all details and of the most disagreeable nature - refusing pensions to widows and wounded men and signing one's name thousands of times." (15)

On December, 15, 1835, Howick informed his father that he intended to delay taking any definite measures for the reorganization of the Army, which was necessary, during the present session, 'in the meantime the changes are that I may by some means or other get out of this office which I hate more and more, and for which I daily feel myself more unfit, the sort of business which is to be done here is what I do not at all understand and for which I am entirely unqualified by all my habits and tastes.'

When it became obvious, however, that he was destined not to take an early departure from his new office, Howick accepted the fact and with his customary industry and vigour attempted a more logical system of administration of the Army; in this, as in so many of the important tasks which he set himself (such as his plan for the abolition of slavery) he failed, but his years at the War Office were not entirely frustrated ones, for he was responsible for initiating a series of reforms to improve the health, self-respect and accommodation of the troops, which, as Fortescue says, "entitle him to the perpetual honour and respect of the Army." (16)

(15) Journal, April 21st, April 24th, 1835.

(16) 'A History of the British Army'. Fortescue 1923. Vol. XI. pp. 448-60.

Nothing in the whole system of administration in the early nineteenth century was less logical or more needlessly complicated than the methods in vogue for administering the affairs of the Army. Benthamite logic might succeed in instilling order into the legal system of the country, might introduce a reasoned if not reasonable Poor Law, but the affairs of the Army were a closed book to reformers of administrative practices. The Sovereign was still regarded as having a special interest and influence in Army affairs, and both Crown and Horse Guards (inhabited always by the most conservative of conservatives) maintained a firm front against any attempt at innovation or reorganization. The result was that during the long years when we were so fortunate as not to become embroiled with one of the major European Powers, the Army lived on its Waterloo reputation; then came the Crimean War and the utter inadequacy of the whole system was exposed. Fortunately the Russian Army was in no better a state than that of the invaders. After the disasters of the Crimean War some of the necessary reforms in the military machine were made, the task of the statesmen responsible for these being made easier by the loss of prestige suffered by the military clientele at the Horse Guards. The main theme in Howick's administration of Army affairs was his attempt to carry some such reform as ultimately became necessary.

A multitude of authorities had a share in administering

the Army during the first half of the nineteenth century. The Secretary of War and the Colonies was responsible for determining the size of the establishment, and theoretically for the conduct of operations in War; at the Horse Guards was the Commander-in-Chief, responsible for discipline; the Treasury had a voice in Army affairs, at least in their financial aspect, and under the Treasury was a Commissariat Department, responsible for the provisioning of the troops. An Ordnance Board was in charge of munitions, and the Home Office was responsible for the use of the military to restore order in Great Britain itself, and for the organization of the militia and yeomanry. Finally there was the Secretary at War, mainly, though very vaguely, responsible for finance, and for presenting the Army Estimates to the House of Commons.

The Secretary at War superintended the administration of the ordinary expenditure of the Army under warrants approved by the Treasury, the supreme financial authority. The sanction of the Treasury had to be obtained before any new regulation as to matters of expenditure was established, and before any expense, not covered by Regulations approved by the Treasury, was incurred; no existing Regulation could be rescinded or altered by the Secretary at War without Treasury approval. When once a Regulation was established, the Secretary at War decided upon its application to particular circumstances and individual cases. All the sums voted for Army Services upon the Estimates

(the Ordinaries) and their application was determined by such Standing Regulations interpreted and applied by the Secretary at War. In the sphere of Army Extraordinaries - special allowances not provided for by any Standing Regulations, but which during the course of a year might be granted to individuals or bodies of men - the Secretary at War's powers were even more circumscribed; the Treasury decided upon the amount of Extraordinary expenditure, consulting as it thought fit with the Secretary at War, the Ordnance Board, and other authorities; the Secretary at War, with his knowledge, was obviously the best adviser upon this matter of Army Extraordinaries, but not all applications on pecuniary matters were made to him, so that he could transmit them with his advice to the Treasury. Some applications went directly to the Treasury, and though that authority might find it expedient to consult the Secretary at War on such matters, there was no obligation to do so. (17)

There were those who disliked the idea of Army administration being in the hands of ten different departments of which the main ones have been already mentioned, and in 1833 a Commission of Enquiry under the presidency of the Duke of Richmond was appointed to investigate the whole business. This

(17) Memo by Palmerston, January 22nd, 1839.
Howick-Melbourne correspondence.

Commission prepared a draft report, but before this could be made more definite and presented to Parliament, the Duke of Richmond left the Government. In the winter of 1835 the Melbourne Government decided to reconstitute this Commission; after the Duke of Richmond had declined, the position of head of this Commission was offered to Howick, who, with many misgivings, accepted. Like its predecessor, the aim of this Commission was to consider the question of the possibility of consolidating the departments connected with the civil affairs of the Army. Howick was not, rightly as it appeared, very confident of a successful outcome; writing to his father in December, 1835, he stated:-

"I totally despair of doing any good it seems to me quite obvious that no change would be the slightest use that did not take away the independent authority of the Commander in Chief and bring the Army as much under the control of the Executive Government as the Navy is, but to this I suppose the King could never be brought to agree, and even if he could there would be many difficulties in the way of it..." (18)

The Commission duly heard all the evidence, considered the Duke of Richmond's draft Report, and entrusted the writing of their own to Howick, who was now determined to make a 'great struggle' for 'putting the whole thing upon quite a new footing.'

(18) Howick to Earl Grey, December 15th, 1835.

In the autumn of 1836, whilst on holiday at Ryde, Howick busied himself with reading over all the evidence placed before the Commission, then began to write the draft of a Report. This, as he reported to his father, he found a hard job, and to his great mortification, when presented, this initial draft was rejected by his colleagues on the Commission.

The rejected Report proposed a Military Board to perform all the duties entrusted to the Secretary at War, the Master General of the Ordnance (supreme over artillery and engineers), the Board of Ordnance, and the Commissariat branch of the Treasury, placing both the civil and military duties of the Ordnance under its control. This Board was to consist of a chief and four subordinates, with a Secretary and permanent Assistant Secretary. Its Chief Commissioner was to be a Cabinet Minister, and preferably not a military officer. Each member of the Board was to be charged with the superintendence of a particular branch of business, but every act was to be done in the name and under the authority of the Board, all being responsible.

This proposal was rejected because some members of the Commission objected to placing such a variety of business under a Board, which they contended was the worst possible instrument for the transaction of business; other objections included one that it would not be right to insist upon uniting the civil and military authority of the Artillery and Engineers without

applying the same principle to the rest of the Army, that this would involve the position of the Commander-in-Chief, and render any attempt to carry such a revolutionary measure impracticable, whilst another was an objection to placing the military business of the Ordnance under a Board at the head of which would be a civilian. (19)

Thereupon Howick undertook to draw up another draft of a proposed Report, taking into account these objections from his colleagues. It was a difficult task, but towards the end of January, 1837, it was in a finished state, and was this time adopted by the remainder of the Commission.

This second version concentrated upon the anomalies connected with Howick's own office, the Secretaryship at War, and the division of authority between that and the Colonial Office. Though the Secretary at War had much to do with presenting Army affairs before the House of Commons, not only were his powers in financial matters severely limited, but his knowledge of other aspects of Army affairs was so likewise, especially if he were out of the Cabinet. All military business was supposed to go to the Colonial Office. Howick contended that colonial problems were alone sufficient fully to occupy the attention of that department. Therefore he proposed that all military business, at present assigned to the Colonial Office should be transferred to his own; under the proposed new

(19) Rejected Draft of Report of Commissioners on
Military Departments, War Office Papers.

arrangement the Secretary at War would signify to the Commander-in-Chief the King's pleasure on the establishment instead of the Colonial Secretary, would sign the military commissions and would be the organ for all communications between the Government and the Commander-in-Chief. This would entail changing the Secretary at War's Commission, and make it necessary that the Secretaryship at War be in future thought of as a permanent Cabinet post. At present, according to Howick, the largest part of the civil business connected with the Army was transacted by the Ordnance Board; in the proposed change, this would come under the authority of the Secretary at War, the position of the Master-General of the Ordnance remaining unchanged. The advantages of these changes would mean greater efficiency in administration, the uniting of all military expenses in one estimate, the reduction in the number of parliamentary officers at present employed by the various military departments, and the fact that there would be greater uniformity of practice, for whereas now the claims of artillery officers for command, money allowances, lodgings and the like, were decided upon separately by the Board of Ordnance, under the new arrangement they would be united with precisely similar business conducted by the War Office. (20)

Difficulties were not long in manifesting themselves. On February 18th, William IV despatched a letter to Lord Melbourne

(20) Paper enclosed with the rejected Draft of Report,
War Office Papers.

in consequence of a report in the newspapers that Howick had informed Hume in the Commons that the Report of the Military Commission would soon be in the hands of members. It was a strong complaint on the Secretary at War's conduct, "who has abstained" said the King, "from making the slightest communication upon a question in which he cannot be ignorant that the King takes the deepest interest, and may be supposed to hold opinions which may not accord with those entertained by himself". The letter announced His Majesty's strong objections "to Propositions of the nature and character of which he appears studiously to be kept in ignorance, until they became questions of public notoriety, being brought under discussion and made the objects of Resolutions of the H. of Commons to which His Sanction will then be called for as a matter of course, however objectionable they may appear to Him in principle and effect. His Majesty is not ignorant ... of the urgency of Mr. Hume and others for what they call a Reform of the Military Establishments which they wish to destroy, with everything that can give Power and Consistency to the Crown and to the Government, and may secure the Country and the Constitution against their nefarious and destructive designs." Howick hastened to assure William IV that no disrespect had been intended, that when the Report was finally adopted by all the Commission, it would be laid before His Majesty, and that there was no intention of taking any action upon the recommendations therein until the King had been able

to study it. The King announced himself satisfied with Lord Howick's explanations, but in his second letter lay phrases which rendered it all too likely what would be his reception of the Report when presented to him, phrases concerning 'His Prerogative', and the necessity of 'resisting the Pressure from without and the attempt to encroach upon the just and constitutional power and rights of the Crown.' (21)

The Report having been accepted by the Commission, the King received on February 27th a printed copy from Lord John Russell. On March 6th, William IV despatched to Lord Melbourne a further letter of remonstrance, complaining that Howick and Russell wished the Report to be presented to the House of Commons at the same time as the Army Estimates, and that this did not leave him with enough time for consideration of the question. The King also objected violently to the whole tenor of the Report, and pointed out that the evidence of the foremost military authorities when given to the Commission had been at variance to the changes proposed. The King himself agreed with the views of his officers. The evidence against change he thought to be so conclusive "as to convince all unprejudiced and impartial persons of the danger and mischief which may arise to the Country to the Public Service and to the efficiency of its various branches from the adoption of

(21) William IV to Melbourne, February 18th and 21st, 1837; Howick to Melbourne, February 19th.

Projects produced by Theoretical Speculations and fancy for innovation and experiment when opposed to the results of experience and the safe, useful, and efficient working of a system which is in operation." The King was opposed to increasing the powers of the Secretary at War, and "creating a new Principal Department in the State, partly on the ruins of others and partly from the exclusion or diminution of the Authority, the Influence and the Patronage of those which are suffered to continue in existence but shorn of some of their attributes." He reminded his Government that the post of Secretary at War was merely an executive one, and that this being so Howick had no right to complain that the Secretary at War had been little consulted in military matters. The King hoped "that Viscount Melbourne will upon further consideration concur with him in the view he takes of the impropriety, the inexpediency and the impolicy of the proposed arrangement and of its objectionable character with reference to the general interests of the State and the constitution of the Government."

"Independently of changes," he continued, "in the duties of great publick departments and reduction of their power and authority ... the King cannot but point out to Viscount Melbourne the objection to the enormous accumulation of Patronage and influence in the hands of one Minister holding an Office which had not hitherto given a seat in the Cabinet, a proportion of that Patronage being taken from the Treasury which has already

lost a large Portion by the Reform of other Departments and in which it is nevertheless of the utmost importance to the well being and maintenance of the supreme authority of the Government and the Crown that this great mass of Patronage should be concentrated."

The King did not believe that Howick wanted for personal reasons 'an inordinate desire of Patronage or a wish to grasp at power;' no minister in the face of the uncertainty of official tenure in Britain could desire such an object. He concluded by giving a grudging consent to the Report being laid before Parliament, but warned Melbourne that he did not and would not approve of the changes recommended by it.

The whole subject seemed now to have reached a deadlock. On the one hand the Government would be pressed by a substantial section of the House of Commons, especially among its own supporters, to do something to carry out the recommendations of the Report; on the other hand any attempt to do so would be opposed by the King and Horse Guards, and of the two the latter seemed to provide the most formidable obstacle. The King had already asserted his authority in the sphere of Canadian policy, and had fallen foul of his Government on other matters. Had he not succeeded in dismissing the first Melbourne Administration and passing it off as part of his legitimate prerogative? What was to prevent him from doing so again? Given Melbourne's temperament, which was one for avoiding not

battling with difficulties, it seemed as though the cause of Army reform would be postponed indefinitely. Then on June 20th, 1837, the King died, and was succeeded by the young Queen Victoria.

If Melbourne was adept at avoiding difficulties, Howick had so high a conception of honour and duty that if he conceived that he had promised to do a certain thing, great was his determination to see that he fulfilled his promise. On this question of Army administration he conceived himself to be so pledged, both by a promise in the Commons and by his signature of the Report. The question was how could he persuade his colleagues to take the necessary steps in the matter. The beginning of a new reign, plus the fact that a multitude of other business awaited the attention of Government and Commons, seemed to make it an unfavourable time for a complicated bill carrying out the recommendations of the Report to be brought forward, especially as its contents would arouse vehement opposition in certain quarters.

Howick believed that he had the answer to this problem when he wrote to Lord John Russell on July 6th. After observing that he would never move the Army Estimates again should no steps be taken to implement the Report, Howick then detailed the great obstacles to bringing forward a bill at the present time. Therefore, as much of the Report as could be effected without the authority of Parliament seemed the obvious course to take. This could be carried out by a Minute in Council, of which he enclosed a draft.

The aim of this Minute was to give to the office of Secretary at War those powers in Army affairs then residing at the Colonial Office, or most of them. The Secretary at War was in future to signify to the Commander in Chief the Royal Pleasure on the establishment of the Army, to communicate with the Master General and Board of Ordnance on the questions of arms and stores, and to countersign military commissions. Questions concerning the employment or movement of troops when decided by the Secretaries of State should be addressed to the Secretary at War, and be by him communicated to the Commander in Chief; in cases of urgency this need not be the case, but the Secretary at War was still to be informed as soon as possible of orders set ⁿ on such an occasion. The Commander in Chief was to communicate directly with the Sovereign as before. Finally, a new Commission was to be prepared for the Secretary at War on account of these proposed changes.

Russell, like Howick, was eager to carry out a reorganization of those departments of State concerned with Army affairs, though he differed from Howick as to the best way of accomplishing this, and though he was at the same time preoccupied with the important business of the Home Office. The greatest obstacle was Melbourne; Russell informed Howick in conversation on July 9th, that Melbourne did not favour meddling in Army matters for the present. Russell's impression was that Melbourne feared being accused of making the young Queen do something which he

had not dared to propose to the late King. (22)

On July 15th, Howick wrote to Melbourne asking, as time was short, dissolution and elections being near, for immediate action to be taken on the proposed Minute of which Melbourne had already received a copy. The time chosen though in some respects inconvenient had one advantage in its favour; as it was a time for renewing all appointments, it was perfectly natural that the Commission of the Secretary at War should be altered to bring it more into line with the recommendations of the Report. Howick also endeavoured to combat Melbourne's supposed objection to the scheme:-

"To those who might reproach us for doing under the young Queen what we should not have attempted to propose to the late King we should have an answer that seems to me conclusive. We had brought forward the plan during the life of the late King and it was then publicly announced in the House of Commons that we meant to act upon it. This being the case when the Secretary at War must have a new Commission it would be obviously inexpedient that it should be in the form objected to in the report, and the alteration of the form of the Commission naturally carries with it the rest of the arrangement." The reply was discouraging; Melbourne spoke of the need for avoiding 'haste or precipitation', and thought it best to wait and

see what sort of a House of Commons resulted from the elections before taking any decisive steps. (23)

So Howick waited until the beginning of the following session of Parliament before again raising the question. In November, he sent Russell a modification of the proposed Minute, as a result of some suggestions made by Palmerston, plus the addition of measures relating to the Ordnance. By the articles of this, the charge for maintaining the Royal Corps of Artillery and Engineers was to be henceforth united with the Army Estimates for the rest of the Land Forces; in future the Ordnance Estimates were only to include charges relating to the repair and construction of military works and barracks, the supply of arms and munitions, and clothing, plus charges hitherto found in the Commissariat Estimates. The rest of the Minute was identical with its predecessor, except that the Master General of the Ordnance was bracketed with the Commander in Chief, whenever the latter had been mentioned in the previous Minute. (24)

This attempt at a fuller measure of reorganization encountered opposition from Sir Hussey Vivian, the military chief of the Ordnance. A pen and ink war now ensued between him and Howick, until Russell was obliged to advise Howick to abandon those heads of the Minute concerning the Ordnance, and submit the rest - now identical with the one suggested in July - to Lord Melbourne.

(23) Melbourne to Howick, July 15th, 1837.

(24) Howick to Russell, November 15th, 1837.

In a conversation with Lord Melbourne on this very topic, the Prime Minister had mentioned how important it would be if a change were to be carried out to produce evidence of the mismanagement Howick asserted to be taking place under the present system. As a result of this remark, Howick submitted in December, 1837, an overwhelming indictment of the way in which Army matters were administered. Along with a letter to Melbourne went two Memoranda, one concerning the management of accommodation for the troops abroad, the other the administration of the Commissariat Department. (25)

Looking at the state of the Army since Waterloo, Howick remarked:-

"I have the strongest conviction from what I have observed, while in this office, that during the two and twenty years of grace which we have enjoyed much might have been done to raise the character and improve the composition of the Army by taking measures to secure a higher standard of education for officers and men, that means might have been taken to improve the system of discipline, and the modes of punishment in use so as to check the growing feeling against corporal punishment, that the extent to which desertions have prevailed from the troops in Canada might have been checked and that a very great saving of public money might have been effected by adopting a more judicious system for the defence of the Colonies."

(25) Howick to Melbourne, December 15th, 1837.

Concentrating in his letter on one result of the mismanagement of Army affairs, he spoke of the frightful waste of life among the troops stationed in tropical colonies; over the last twenty years annually 143 per thousand men had died in Jamaica; one seventh of the whole force of white troops, 'being about three times as great a mortality as that which was occasioned during the peninsular war by battle sickness and other causes.' In Jamaica and the Windward and Leeward Islands of the West Indies, in twenty years no fewer than 14,000 British soldiers had perished, as far as Howick could see only within the last two years (the years of his own term of office) had any attempts been made to check such an appalling mortality rate. The memoranda gave the key to such a sad story; they also illustrated how bad was the management of army affairs which led to the troops being fed and lodged in such a fashion. Howick concluded by urging Melbourne to take some action to implement the advice given in the Report, otherwise Howick felt himself unable once again to present the Army Estimates to the Commons.

Leaving aside the memorandum on the feeding of the troops, which will come into our story at a later stage, some of the facts on the accommodation of British troops abroad must be mentioned, as they serve to give a point - a human point - to what otherwise might seem a dry, tedious wrangle over rival schemes for an administrative machine. Confining his attention

to the barracks available for British troops in the West Indies and Africa, ignoring conditions in other colonies, and the problem of siting buildings in healthy areas, Howick gave a series of individual reports of medical officers, as being typical of the state of life of the British Army in the colonies.

For example, there were the barracks at Orange Grove, Trinidad. In 1822 a medical officer had reported that as the buildings had been condemned the authorities were carrying out no repairs on them, 'in consequence of which during the rainy season they were in such a miserable and ruinous state, that there was hardly a point at which the rains did not penetrate, and in some of the Barrack rooms even part of the mud wall of which they were constructed had fallen in, and the men were exposed to every vicissitude of temperature.' The following year it was reported that 'were the lowest class of negroes in the Island so badly lodged, the Protector of Slaves would consider it his duty to prosecute the proprietor of the Estate to which they belonged.' By 1827 the floor of one of the buildings could not support the iron bedsteads. Eleven years after the first complaint the buildings were repaired.

The same depressing story is found elsewhere. In 1824 the Hospital at St. Vincent was condemned, the foundation for a new one laid - and completed nine years later. The same thing happened with the hospital at St. Lucia, which was completed seven years after its foundations were laid; meanwhile

in the old hospital it was impossible to keep the hospital records dry, let alone the patients. One of the worst cases - with the exception of Fort Charlotte Barracks in the Bahamas - was at Fort Wiltshire, on the South African frontier; in 1833 a medical officer reported of this building:-

"The Barracks remain in the same dilapidated state nothing in the shape of repairs having been attempted. Works were commenced in the beginning of the year, but after taking off part of the roof, their further proceedings were stopped. I feel called upon in this place to state that the Hospital, owing to the badness of the roof is scarcely fit to accomodate the patients, every storm or even slight fall of rain drenches them in their beds, without any means of avoiding or escaping from the descending drops which find their way through the sieve-like roof. The Commissariat stores have been, for some years, furnished with a Tarpaulin to protect the grain from the weather, and surely something of the kind might be supplied to the Hospital to protect the sick soldier."

In Sierra Leone bad barrack accommodation led to the deaths of two-thirds of a European force sent there within a year, the officers of this unfortunate contingent had attempted to live in huts which even the natives had abandoned; in a barrack at the Gambia in 1825, 87 out of 108 men had died within three months, and that average had continued until the troops were withdrawn by the authorities. The ironic point was that even if the

troops in such barracks attempted to effect some temporary repairs of their own, they could not do so without the risk of being made liable for barrack damages !

Not only were barracks badly built and ill-repaired, they were notoriously overcrowded. Prior to 1827 the space allotted to each man in the Windward and Leeward Command had been 22-23 inches in breadth, which meant that as the space would not admit of a bedstead, the soldier had to sleep in a hammock 'by which injurious expedient as many men could be placed in one apartment as the breadth of their bodies would admit.' In a new barracks at Tobago, the best of its kind in the whole command, each man had on an average about 250 cubic feet of free atmosphere, 'while 600 is by the best authorities deemed essential to respiration in prisons in this Country.' In 1825 the solitary cells at Dominica were said to be unfit even for the sheltering of goats, and that in the guard room there, which was 24 feet by 13, there were frequently fifteen men off sentry and from 25 to 35 prisoners; as a result few prisoners or men on duty ever escaped a sojourn in Hospital, 'nor is it to be wondered at, seeing that the space each occupied was little more than that of the prisoners in the Black Hole at Calcutta.'

Howick regarded these facts to prove his case that there had been and was still 'an extent of mismanagement, and a wanton sacrifice of life which it is believed could hardly be paralleled in the military history of any nation.' The reason for this

mismanagement he thought obvious; there were too many authorities charged with administering army affairs:-

"And it is precisely this very circumstance of the responsibility being shared by so many which has led to so unfortunate a result; errors which any one of the offices referred to might properly have interfered to prevent, it has been felt to be the special duty of no one of them to detect, and improvements which could only have been accomplished by the joint efforts of all the ... departments, and of the Treasury, have practically been neglected and delayed, because in the hurry of public business it is scarcely possible to secure the steady co-operation in matters of this kind of so many independent authorities."

The inference was obvious; the only way to improve the efficiency of administration was by consolidating most of these superabundant departments under one body.

If Howick had hoped that Lord Melbourne would be stirred to action by the series of appalling facts which had been sent to him, he was doomed to disappointment. Melbourne's first reply - before he had read the memorandum - stressed the dangers and difficulties of endeavouring to alter the system on which the Army was administered; he feared that if any steps were taken to implement the Report the senior officers of the Army would resign, and that they would be supported by Wellington, who, as the victor of Waterloo, had acquired through the years

a reputation for infallibility on Army matters. In his second letter on the subject, dated December 25, 1837, Melbourne stated that he had read Howick's memorandum that very morning; he wished to hear what the Ordnance, the Treasury, and the Duke of Wellington had to say on the whole question. As for the neglect of barracks, he ascribed that to the fact that the House of Commons did not vote enough money in the Estimates. (26)

On the receipt of this second letter Howick replied immediately. Melbourne had expressed amazement that these cases of neglect had not been brought to the notice of the departments concerned by the House of Commons; Howick replied that the members of the Commons knew absolutely nothing of the state of the Army abroad. If one man - a Secretary at War - had been in charge of the various departments now responsible for the state of the army, such gross abuses would scarcely have passed unperceived. As for Melbourne's contention that the desire to keep down the Ordnance Estimates was the reason for the state of barrack accommodation, Howick acknowledged its truth:-

"but the argument you will find urged in our report is, that the motive would operate very differently if the same authority were responsible for the whole amount of the military estimates. If at the end of the war good barracks had been built in the West Indies in good situations, the expense would by this time have been saved twice over in the diminished charge

for hospitals, reliefs, recruiting, etc. and this miserably false economy has prevailed because the Ordnance had no concern in the amount of the latter expenses."

He was very sceptical of the usefulness of laying the case before the Ordnance and Treasury, both would only endeavour to clear themselves of blame; mismanagement could only be ended by giving to one man the powers to exercise an active supervision over all aspects of the military machine. Meanwhile the whole question pressed urgently for a decision; Howick demanded that at least a beginning ought to be made towards carrying out the recommendations of the Report; the transfer of the Commissariat to the Ordnance and the adoption of the Minute in Council which he had pressed for in the summer should be the initial steps. Melbourne's reply was to announce that the course to be determined upon would have to be decided by the Cabinet. (27)

Lord Melbourne sought professional military opinion on the proposed Minute in Council, and on January 8th, 1838, forwarded to Howick the strong objections of the Duke of Wellington, Lord Hill (the Commander in Chief), and Sir Hussey Vivian (head of the Ordnance Board) to the scheme. Some of the points made by these men as Melbourne was willing to agree were unjustifiable; Wellington thought that it was intended to

(27) Howick to Melbourne, Dec. 26th, 1837.
Melbourne to Howick, December 28, 1837.

interfere with the position of the Commander-in-Chief, and to alter the present mode of the disposal of patronage in the Army. Yet on the whole Melbourne sided with the army officers; he too was averse to seeing military matters brought more under the discussion and control of the House of Commons, saw the proposed role of the Secretary at War as the superfluous introduction of a third party between the Secretaries of State and the Commander in Chief, and thought that if it were true that the Colonial Secretary was overworked, then in that case the military business could be transferred to the Home Office. The reasons for Melbourne's dislike of meddling in Army matters were, apart from his inherent aversion to innovations, fear of offending the professional 'esprit de corps' of the Army, and fear lest those officers holding the highest posts should resign rather than submit to change. Stressing that the Report bound no one to its tenets, that it was merely advice, he asked for at least a postponement of a measure of change 'until a period of comparative ease and safety.'

The objections of the military chiefs were as might have been expected those of an exclusive profession which disliked the thought of civilians, whether Cabinet Ministers or the House of Commons, intruding into the arena of the professional soldier. They justified their opposition by old-fashioned appeals to the fact that the Royal Prerogative would be threatened by a change in organization, that the Commander in

Chief alone prevented the application of Army patronage to Party purposes, that the Secretary at War would come too much under the control of the Commons. Wellington pleaded the tender age and inexperience of the new Sovereign as an excuse for doing nothing until she could form a mature judgment of her own on the subject; this of course readily appealed to Melbourne. Lord Hill put their fears of a greater measure of civilian interference cogently when he wrote that if the Minute were adopted the result "will be to ignore the Royal Prerogative and remove the command of the Army and the exercise of the power arising from it, from the hands of the Sovereign and placing it in those of a Minister who being necessarily a Member of Parliament will feel that his chief responsibility is, not to Her Majesty, but to the House of Commons."

Howick answered Wellington's and Hill's objections in a paper he sent to Lord John Russell. He showed the inefficiency of the present system by referring to recent events connected with the Canadian rebellion:-

"The Duke asks whether advantage has not resulted from ^{re}unserved inter[^]course between the Secretary of State and the Commander in Chief in arranging the measures now in progress for restoring tranquillity in Lower Canada, and whether anything but delay, mistake, and ultimate confusion, could result from the intervention of the Secretary at War between them... perhaps if it had been desired to select an instance which should more

strongly than another have shewn the inconvenience of the existing arrangements for conducting affairs of this description, what has recently taken place respecting Canada would have been the best example that could have been pitched upon.

Had the proposed change been previously adopted what would have taken place would have been this, the Secretary of State in concert with the Cabinet would have determined what amount of force should be assembled in Canada in the spring, he would have said what in this exigency might be spared from other stations, and would then have simply directed the Secretary at War and the Admiralty to take the necessary measures for carrying this determination into effect, leaving them in concert with the military authorities to determine the best mode of doing so. But according to the existing practice the Secretary of State must not only prescribe the amount of force to be employed but the particular measures to be resorted to for obtaining it, he must signify to the Commander in Chief the Queen's pleasure that he should dispatch such and such regiments to specified places, and to the Admiralty to convey the troops accordingly. What was the consequence? Why that the Secretary of State not having in his own office the slightest means of knowing how the required force might be provided with the least expense and the smallest disturbance of other arrangements issued orders for sending to Canada the regiments next for foreign service, which would have entirely deranged probably for some years to

come all that has been settled with regard to the relief of regiments serving abroad and would have inevitably led to a larger and more expensive augmentation of the Army than is in the least necessary. These orders having been given, the Secretary at War upon whom all the inconvenience of the proposed course would have fallen in the House of Commons naturally interfered and after a long discussion carried on personally and by private letters the orders originally given were recalled and after repeated changes and great delay the mode of effecting the proposed augmentation of the force recommended to him was at length adopted and ordered. Thus at a time when the whole attention of the Secretary of State was urgently required in devising the political measures necessary to be adopted in Canada without interrupting the regular progress of business relating to the other colonies, his thoughts were distracted and a large portion of his time was occupied by questions as to whether Bermuda or Gibraltar should be the rendezvous for a part of the force.... whether a larger or smaller proportion of it should consist of Guards or Infantry of the line, of additional regiments or drafts... The manner in which all these questions are determined has the most material influence on the amount of the military expenditure both for this and for succeeding years. The information too by which this decision should be formed is almost exclusively to be found in the War Office..."

As for periods of full-scale war, Howick stated that then the colonies were entirely overlooked whilst the Secretary of State really became Secretary of State for the War Department.

Referring to the objections of increased Parliamentary influence in Army affairs should any change be carried out, Howick stated that military matters ought not to be more out of Parliamentary control than any other branch of the public service. (28)

Russell duly forwarded the latest papers he had received from Howick to Melbourne, who wrote again on January 15th. The letter contained the same themes, stressing the need for caution, stating the present time to be inappropriate, expressing his fears of the reaction of prominent officers, whilst at the same time acknowledging that the present system was open to "theoretical objection". The question could not be decided without the authority of the Cabinet and Melbourne expressed himself as confident that the majority of this body would be opposed to considering the subject at the moment. With Melbourne's letter he enclosed one addressed to himself by Russell on January 9th. Russell was in favour of some sort of change. Speaking of the office of Secretary at War, he remarked:-

"Can you then ask any man of Spirit or political character to undertake the office without any change in its constitution?" He did, however, agree with Melbourne that the present time was

(28) Draft of a Paper on Administration of the Army.
Jan. 9th-12th, 1838.
Howick-Russell Correspondence.

inappropriate for bringing forward any measure, and wished to see it postponed either till the end of the session or till the summer recess.

However, the question was postponed, at the behest of a majority of the Cabinet, for a much longer period, and Howick, in order to avoid the imputation of perverse obstinacy, reluctantly acquiesced in the decision, until the beginning of 1839 brought to a head a series of disputes he had been carrying on with the Treasury, and led him to revive the subject.

This particular dispute was merely one of many in which Howick had been engaged with the supreme financial department of the Government. In 1836 there had been a particularly serious one when Howick had at first refused to include the sums necessary for the military establishment of the Cinque Ports in the Army Estimates; this had drawn forth a strong rebuke from Spring Rice, and a lecture upon the superior authority of the Treasury, there being no precedent for the head of a subordinate department refusing to take a course directed by the Treasury, except on conditions of his own choosing. On Howick persisting in his attitude, and talking of his 'honour' and 'duty' 'as a Public Man', Spring Rice threatened to resign. This sufficiently alarmed Howick as to cause him to abandon the position he had taken up, and come to a compromise with the Chancellor of the Exchequer. (29)

(29) War Office Papers and Journal for January, 1836.

The latest in this line of disputes arose as an incident connected with the Canadian rebellion of 1837. Desertion to the United States on the part of troops stationed in Canada was a frequent and disturbing phenomenon. The authorities on the spot ascribed it partly to the fact that the warm winter clothing necessary for men in such a climate was only provided for them by making stoppages out of their pay. On January 22nd, 1838, Howick wrote to the Treasury proposing that such winter clothing be provided for the troops in Canada at the expense of the public. The Treasury in their reply of January 27th, negatived this suggestion, but announced their willingness to make grants out of public funds when peculiar circumstances so warranted it. They cited as an example of this their payment out of the Extraordinaries of the Army of a sum to provide articles of necessaries for those troops, who, unprovided with such, were called upon ^{to} march from New Brunswick to Nova Scotia at an inclement season of the year.

Howick replied to this communication on February 18th. He again advocated providing warm clothing for troops stationed in Canada without making stoppages of pay for such, and gave a large amount of information to support his request. Referring to that part of the Treasury's letter which mentioned the grant out of Extraordinaries for those Regiments called upon to march from New Brunswick to Nova Scotia, Howick announced his dissent from the principle there enunciated:-

"If it should be admitted that an extraordinary demand upon the Troops justifies the grant of an extraordinary remuneration the greatest difficulty will be experienced in checking the claims which will arise. The troops at Home for instance might prefer claims for the extra wear of their necessaries, when called upon from a disturbed state of the Country to perform an unusual amount of marching in a given time, and many other similar claims might arise."

If anything was to be given to the troops, Howick believed that it ought to be fixed by Regulations. Apart from this, however, he protested that without any previous communication with himself, the Treasury had made a grant to troops, the first news of which was received at the War Office in the Treasury's letter. The Secretary at War was, so Howick stated, 'responsible to Parliament for administering with proper economy the military expenditure of the Country, a duty which it is utterly impossible that he should perform efficiently, if their Lordships should think proper to sanction without concert or communication with him expenses such as that which has now been remarked upon.' Therefore, he requested that in future the Treasury should only exercise its authority in such matters after prior consultation with the Secretary at War.

The thunderbolt was long in falling, but when it did so it was with a vengeance. On December 21st, 1838 - note the date, this being a good example of the slowness with which the

Treasury often worked - the Treasury acceded to Howick's request on the subject of warm clothing, it was willing to defray the charge incurred for this previous to March 31st, 1839, from the sum of £500,000 voted by Parliament to meet the expenses occasioned by the Canadian insurrection, subsequently to which date provision would have to be made for the expense in the Ordinary Estimates. At the same time Howick's conceptions of the role of Secretary at War, and the course the Treasury ought to pursue, were strongly refuted. Stressing the subordinate nature of the office of Secretary at War, the Treasury emphatically stated that the holder of that office was not responsible for the amount of expenditure to be incurred or for the principles which should be followed in regulating that expense. Although it may be expedient to consult with the Secretary at War on matters not falling within the limits of fixed Regulations, the Treasury was not bound to do so, and refused to admit that it was not justified in the particular case under dispute. The letter concludes by stating:-

" ... as it does not appear to My Lords that any public inconvenience has yet arisen or is likely to arise from their Lordships' having hitherto followed the course which they have usually pursued in administering the Extraordinaries of the Army they are not prepared to introduce the entirely new principle of not administering that expenditure except in communication with and upon recommendation from the Secretary at War, upon every

occasion on which a Claim shall be brought before them; although they will readily avail themselves of the advantage which may be desirable therefrom, whenever it shall appear to them to be expedient and proper to have recourse to that Department." Although it was a cruel rebuff to Howick, the Treasury was technically correct in its conclusions. (30)

On January 10th, 1839, Howick sent Melbourne a letter enclosing copies of his correspondence with the Treasury. If the Treasury was correct in its assertion that the only duties of the Secretary at War were "administering in detail and on fixed and previously sanctioned rules and principles those grants which ~~we~~^{are} made by Parliament upon the annual estimates which ~~has~~^h have been framed by him in strict conformity with the principles, within the limits, and under the regulations to which My Lords have given their approval, and that of taking care that no alteration in which any increase of expense is involved shall be made in the various regulations as to the Rules of Pay, Allowances, Half Pay or Pensions to be assigned under different circumstances without the previous sanction of this Board," then Howick stated that the office ought to be abolished and the clerks in its establishment transferred to the Treasury and the Audit Office. Howick believed, however, that one member of the Government should be especially charged with the duty of attending to the state of the Army, and this ought

to be the Secretary at War. Rice, as well as himself, had signed the Report, emphasizing as it did the lack of unity of purpose between departments concerned with military affairs.

Howick continued:-

"Every day that I continue in this office strengthens my conviction that this opinion is well founded and I continually see additional proofs of the great injury to the public service which results from the want of a more systematic administration of the affairs of the Army. I have hitherto out of deference to the opinion of the rest of the Government (and with great doubts whether I was justified in doing so) acquiesced in your postponing the consideration of what practical measures ought to be adopted in order to effect an improvement the necessity of which has been admitted in a published report to which are offered the signatures of five out of the six Cabinet Ministers who have seats in the House of Commons. But I ask you whether it will be possible for me to abstain longer from calling for the positive determination of the Government upon this important subject if the interpretation now put by the Treasury on the existing arrangements is to be received as the correct one and if the want of "unity of purpose" in the management of the Army which is condemned in the Report is thus to be rendered even worse than I believed it to be when I drew up that report?"

He demanded as the price of his acquiescence in further postponement of the question, a distinct understanding 'that the

principles laid down in the report are to be acted upon so far as is possible without a re-organization of the departments connected with the administration of the Army.' The delay - from February to December - in granting Howick's request for the provision of warm clothing from public expenses, in spite of two public and repeated private reminders, was a further example of how intolerably inefficient was the management of the Army, for the delay involved in acceding to Howick's request made the concession useless for the greater part of the present winter. Howick, therefore, felt it his duty to require the formal decision of the Government as to what were for the future to be considered the respective duties of the Treasury and the Secretary at War. Upon not immediately hearing from Melbourne, Howick sent a further letter eight days later reminding the Prime Minister that he expected a decision on the question in dispute.

Melbourne replied that he had had no time to consider the question. Howick immediately wrote back insisting upon a very early decision with the least possible delay. ⁽³¹⁾ On January 26th, 1839, Melbourne sent to Howick a Memorandum on the relative duties of the Treasury and the War Office, written by Palmerston; this agreed with the Treasury view of the question but urged the expediency of the Treasury consulting with the Secretary at War upon the disbursement of the Army Extraordinaries. Melbourne again announced that the present was

(31) Melbourne to Howick, Jan. 18, 1839.
Howick to Melbourne, January 19th.

a very inconvenient time for raising the whole question of Army administration, and stated that previous Secretaries at War had never desired weight and authority for their office, but that it had gained weight and power for them, 'from their being also Members of the Cabinet and for their general influence in the Government and in Parliament.'

On January 27th, 1839, Howick repeated his demand for a formal decision as to whether in future the Treasury was to sanction grants out of the Army Extraordinaries without prior consultation with the Secretary at War; all other questions he was prepared to postpone in accordance with the consensus of opinion of the rest of his colleagues. In reply, Melbourne announced that he would see what could be done, but added, 'you must not drive us to the wall.' Remarking upon the growing disposition for hostile correspondence between the Treasury and other departments, Melbourne did not know where to put the blame, but spoke of official pride being like the pride of Lucifer. His obvious wish was that Howick would drop the whole embarrassing question. (32)

Howick announced that he had no wish to drive Melbourne 'to the wall', but continued to insist upon having a minute drawn up, which, without mentioning the previous dispute on the supply of clothing to Canadian troops, would establish for the future the practice to be observed in relations between the

(32) Melbourne to Howick, January 28th, 1839.

Treasury and the War Office. As for the growth of disputes between the two departments, he did not think that the fault lay with himself, but that it had arisen 'from the refusal of the Treasury to allow that sort of directionary power which.... the person at the head of this office ought to be entrusted with:'

"Everything I propose whether it is a trifle such as allowing the pay of a higher rank to a medical officer, or an important measure such as a change in the rations of the Troops at a particular station, or the grant of an allowance for warm clothing to the regiments in Canada, is either rejected or delayed until after a long correspondence the clerks at the Treasury can be made to understand its necessity. It is impossible business can be satisfactorily done in this manner, one cannot explain in official letters all the little circumstances which in the course of the correspondence of this office shew the propriety of adopting the sort of measures I allude to, and if Rice is determined never to act upon confidence in my opinion founded as it is upon the information and advice I can obtain here, if he never will sanction any measure until it can be fully considered either by himself or some of those immediately under him, it must necessarily follow that the refusals and delays of his department from which we seldom get an answer in less than three months, will draw from me those controversial letters which I agree with you in thinking very mischievous." (33)

On February 19th, 1839, Howick again called Melbourne's attention to the subject, and suggested Palmerston as a fit person to frame a Treasury Minute on the lines he desired; as well as settling the previously mentioned dispute, it would also solve a further contentious issue, over the auditing of army expenditure; as most of this was conducted under the auspices of the Secretary at War, Howick thought it only logical that the relatively minor sums now dealt with in a different fashion, should be audited on uniform lines with the main body of expenditure. Melbourne promised to give the matter as early a consideration as possible.

The whole question, however, remained in the same, unsatisfactory state (from Howick's point of view), until August, 1839, when a series of Governmental changes were made to which Howick could not be brought to give his agreement. He thereupon resigned. Undoubtedly one important factor determining him to take this course was his own unsatisfactory position at the War Office.

On August 10th, 1839, he wrote to Russell, asking that some change be made in the present system at the War Office, otherwise the choice of a new Secretary at War had better form part of the contemplated arrangements. He did not require that the recommendations of the Report should be carried out in their entirety; he asked merely for two specific changes. These were the transference to the War Office of the management of the

supply of provisions to troops serving abroad, and the reference of the points in dispute between the War Office and Treasury to some impartial authority, such as Palmerston. He required the first change because since his remonstrance against the mismanagement of the Commissariat no improvement had come about, and the result was not only a waste of money but the sacrifice of the lives and the health of soldiers.

On August 21st, 1839, Howick wrote to Melbourne objecting to most of the projected reshuffling of the Government. Speaking of his own position in the same he described it as 'exceedingly unsatisfactory', this had been rendered more unbearable since Lord Normanby had succeeded Glenelg at the Colonial Office, he having consulted the Secretary at War even less frequently than his predecessor. In a further letter written three days later, Howick called for a greater step to meet the Report of the Commission than he had originally asked for in his letter to Russell of 10th; this was prompted by the extent of the changes made in the Government, Howick having the feeling that he was being unduly neglected whilst less prominent men were either going to be placed over his head, or at least on a par with him. Melbourne again spoke of the difficulty, which Howick had acknowledged to be present, in making any changes in the constitutional position of the War Office, and urged Howick to abandon his request, stating his motives to be those of mere personal feelings, and a desire of more official influence

and dignity. (34) Howick in reply refuted this charge and went over all the question again, showing how many times he had urged changes in Army affairs and how many times he had been urged to let the subject be postponed until a more convenient period. Melbourne had gone to the extent in 1838 of promising to introduce a Bill, not wishing to make changes by a Minute in Council, which would have made provision for the creation of a fourth Secretary of State, which Howick thought injudicious; however nothing had come of this because of the occurrence of various difficulties in other fields which had pressed more urgently for the Government's attention, and because of the extreme weakness of the Government in the Parliament elected in the summer of 1837. Howick did not now ask for such a Bill; he preferred what he had always believed to be the better plan, that in effecting as many improvements as possible by the authority of the Crown, without the necessity of a recourse to Parliament. He asked that the matter should be decided at that present time along with the other new arrangements, because 'from past experience I cannot doubt that if this opportunity is not made use of, there will never be wanting good reasons for delay, and a much needed reform to which I am publicly pledged will be indefinitely postponed.' As he was opposed to so many of the other arrangements, however, by this same letter Howick tendered his resignation. (35) Russell, in a letter of

(34) Melbourne to Howick, August 25th, 1839.

(35) Howick to Melbourne, August 26th, 1839.

August 27th, making some pungent comments on Howick's resignation remarked that the question of making changes in the administration of the Army had been dropped from sheer necessity, that the Cabinet had declined to act on the Report of the Commission, that if it had acted the measure would have been defeated, and that the plan he (Russell) had thought the best, that of creating a fourth Secretary of State, had been frustrated by Howick: he announced that Malbourn and Baring were ready to consider minor changes. Howick did not withdraw his resignation.

Out of office his concern over the welfare of the Army continued to manifest itself; among his papers is one entitled 'Facts to be collected from papers relating to the barracks at the Bahamas, ordered to be printed by the House of Commons, March 24th, 1840'. This gives some facts of the notorious Fort Charlotte Barracks in the Bahamas which was then still in use. The moral to be drawn from this woeful tale of mismanagement, leading to privation and death for the unfortunate beings stationed there, was Howick stated, to be found in the system of administration; the faults of the system:-

"may be summoned up in a very few words as consisting in the fact that the authority to direct and the responsibility for neglecting the measures which are required for the active and economical conduct of military business are divided amongst too many offices totally separate and independent of each other."⁽³⁶⁾

So the weary and sterile question drew to its close. It marked the second great failure of Howick's career. A reorganization and consolidation of Army departments had met Melbourne's indifference, pressure of other business, timidity of the Cabinet generally to advocate change, and obstinacy from the Horse Guards and His Infallibility the Duke of Wellington, and had failed to overcome them. It required the Crimean War and its disasters - does it not always require a disaster? - to shake the complacency of the Horse Guards and arouse sufficient public attention and indignation on the subject. In 1854 - that is, previous to the War - a beginning had been made by separating the Secretaryship for War from the colonies and placing under it a Board of General Offices plus the Commissariat, the control of the yeomanry and militia; in the following year the Board of Ordnance was dissolved and its functions divided between the Secretary for War and the Commander in Chief. In 1863 the Secretaryship at War was abolished and its duties merged with those of the Secretary of State for War, thus at last ridding the system of that embarrassing duality of offices, though the position of Commander in Chief yet remained to complicate the issue. By Cardwell's War Office Act of 1870 the Secretary of State assumed an undivided responsibility, the Commander in Chief being definitely subordinated to him, and being responsible for the raising, training and discipline of the forces, military education and intelligence. Finally, in 1904 the Esher Committee

recommended the suppression of the long obsolete office of Commander in Chief. (37)

C. Howick and the Health and Welfare of the Army.

The battle for reform of the Army reorganization consumed much effort, much ink and much paper. The results were entirely barren. We now turn to fields in which Howick's tenure of the War Office did produce much positive good, though it was not without a series of struggles that Howick made his views prevail.

Shortly after taking office, Howick, concerned with the health of troops serving abroad, directed Lieutenant Tulloch and Dr. Marshall, to make a complete digest of the information contained in the returns and reports of the ^dmechanical officers of the Army from the peace to the present day. In 1836 these two gentlemen furnished a report on conditions in the West Indian colonies. Howick was appalled at the high mortality rate among troops there, and made himself responsible for two measures aimed at reducing this.

One of these concerned the system of reliefs. Of 103 battalions of the Line, 82 were constantly abroad; most of these were stationed in unhealthy climates. It had been the practice to keep regiments in the West Indies for ten consecutive years; though even the authorities at the Horse Guards agreed that the knowledge that they had to spend so long a period of time in such an unhealthy climate had the worst possible effects upon the

(37) 'The Constitutional History of Modern Britain'
D.L. Keir, 1950. pp. 418-19.

health and spirits of officers and men, no means could be suggested of sending direct reliefs at shorter notice; for this an augmentation of the Army would be needed, and Parliament would not be likely to accept its necessity. Howick, therefore, proposed a regular rota of reliefs among the troops serving abroad for the purposes of cutting down the length of time spent by certain regiments in unhealthy climates, and improving the health of the troops, the first of these having an influence on the second. Troops who were to perform their period of service abroad were to be sent first to the Mediterranean stations - Malta, Gibraltar, the Ionian Islands - the most healthy regions, apart from the temperate climatic regions where troops were stationed, inhabited by British troops whilst overseas; the climate of these stations was hot and dry. It was hoped that before they moved to the West Indies, next on the new rota, troops would at least have become acclimatized to heat, though of course in the West Indies there was the deadlier combination of heat with damp. After a fixed period of service in the West Indies, troops were to proceed to Canada, a cool healthy climate, for their final portion of service abroad. The new system would ensure that each regiment sent abroad - of course this measure did not apply to British India - had an experience of healthy and unhealthy stations, and that no longer would changes of favouritism be made against the authorities for keeping a certain regiment for ten years in an unhealthy West

Indian climate, whilst luckier regiments spent the same amount of time in healthier areas in Canada and the Mediterranean. (38)

Howick suggested this system of reliefs in a letter to the Commander in Chief, Lord Hill, on December 20th, 1836, and on January 21st, 1837, Hill replied, agreeing to give it a trial. Fortunately, as Howick believed, he had announced the system of reliefs to the House of Commons, before the intervention of the King, who might otherwise have put a stop to it. On May 2nd, Sir ^{er}Hybert Taylor, Secretary to the monarch, wrote to Lord Fitzroy Somerset, stating that William IV strongly objected to sending regiments from the Mediterranean to relieve those in the West Indies; his objections were based on the belief that regiments proceeding to tropical climates from the Mediterranean suffered from sickness to a greater degree than those which went directly from Britain, whilst delays, inconveniences, and expenses were greater. William IV, however, gave his permission for the new system to be given a fair trial. Howick replied to Sir ^{er}Hybert Taylor, giving his reasons for the steps taken to improve the health of the troops. Taylor replied saying that the King doubted whether sickness could be traced to the use of salt meat in rations, especially where there was an abundance of fresh fruit and vegetables, nor did he believe that there was a great dispiriting effect upon a Regiment when it knew that a protracted period of service had to be spent in the West Indies. His Majesty ascribed the high mortality rate to the enervating effects

of the climate, to the diseases this caused, and to the habits of less exertion, greater luxury and dissipation to which the troops succumbed, especially the immoderate use of 'promiscuous liquors such as Rum'. (39)

The other step taken by Howick to lessen the high mortality among troops serving in tropical climates was to alter, as far as possible, their staple diet, and with the Treasury he had a protracted tussle on this point.

Among the War Office papers to be found in Howick's collection of private papers are a group of memoranda devoted to the question of the rationing system in vogue abroad, with details on the financial cost of such, and also its effect upon the health of the troops. As we have seen a memorandum on this very subject had been sent by Howick to Melbourne as proof of the gross mismanagement of the Commissariat Department.

Some of the facts revealed by these investigations, which had been carried out at Howick's orders, are very interesting. For example, there was the memorandum by Tulloch on the rationing system in the Mediterranean stations. This revealed that there was a great discrepancy between the price of bread at Malta and some of the Ionian Islands, and Gibraltar. This was to be explained by the fact that Gibraltar did not obtain its flour from Malta, 1,200 miles away and with ready facilities of transit between the two, but from America, a distance of four

(39) Taylor to Somerset, May 2nd, 1837. Howick to Taylor, May 3rd, Taylor to Howick, May 6th.
War Office Papers.

thousand miles, which was the dearest and most distant market ! This meant an unnecessary expense of £3,281 per annum in the provisioning of the Gibraltar garrison. A large quantity of ^{a/} salt meat was issued in the Gibraltar rations, though it cost nearly double that of fresh (of which there was abundant supplies), and which was far less nourishing and healthy. ^{a/} Salt meat was issued four days per week in winter, two days per week in summer, whereas if its issue was restricted to one day a week as was the case at other Mediterranean stations, not only would the soldier enjoy a more nutritive diet, but there would be a saving in expense of upwards of £3,000 per annum. If the savings of public money in these respects were applied to the benefit of the soldier, he could be supplied with a ration of Cocoa and sugar for an evening meal. There was apparently less illogicality to be found in the rations issued at Malta and the Ionian Islands, but biscuit, inferior both in quantity and quality to bread, but far more expensive, was supplied in lieu of bread for one day in the week.

It was with the situation in the West Indies, however, that Howick was most concerned. The meat served out to the troops in these stations was mostly salt meat; all the medical authorities were agreed that this had an unhealthy effect, causing diseases of the bowels, and it was from such complaints that the majority of deaths occurred. Not only did such food influence the health of the soldier, but it harmed him in another

way by its 'tendency to excite thirst and encourage intemperance, the bane of the British Army, especially in the Colonies.' Until Howick's representations were successful, salt meat was issued in the Windward and Leeward Command on five days out of seven.

Not even from the economic as opposed to the human angle was there any justification for the issue of such an excessive amount of salted meat. Fresh meat, besides being more wholesome, was cheaper to obtain in these regions.

Howick, when he had digested the information presented to him on this subject, drew the Treasury's attention on April 30th, 1836, to the mischievous effects of issuing five days' rations of salted meat to the troops in the West Indies. Not until after a lengthy correspondence between the two departments, and with reference by the Treasury to the Auditors of public accounts, and by the War Office to Doctor Marshall, the Deputy Inspector-General of Army Hospitals, was a satisfactory solution arrived at. On January 28th, 1837, the Treasury accepted Howick's demand for a change of rations for the West Indian command. Troops in the Windward and Leeward Islands were to receive fresh provisions in future on five days of the week, and salted meat only on two, whilst in Jamaica, where there was an exceptionally high mortality rate, no salt victuals were to be issued at all. Howick also campaigned for the issue of similar rations to troops serving in the Bermudas. Similarly Howick secured a greater diet of fresh provision for the troops in Mauritius, fresh meat was issued from December 23rd, 1836, on twenty days per month, whereas it had

previously been confined to sixteen.

Among Howick's papers is a letter from Lieutenant-General Sir Samuel Whittingham, from Barbados, dated June 10th, 1839, giving his personal opinion of the result of the change in rations advocated by Howick, along with other improvements for which he had striven:-

"the ameliorating measures so wisely adopted within the last three years, in all of which Your Lordship has been mainly instrumental, and some of which I have strenuously exerted myself to carry out, Your Lordship will rejoice to hear are already, in my opinion, producing good effects on the general health and comfort of the Soldier. I allude principally to the change from five days salt meat in the week to five days fresh, the improvement in coolness and general wholesomeness of the water by the introduction of Drip stones in the Barrack Rooms, at the rate of two per Company, the increase in the establishment of the Black Corps (1st West India Regiment) and its consequent more general diffusion throughout the Command, relieving thereby the White Troops from distant night duties more inimical to health and more productive perhaps of Fever than any other to which the White Soldier is liable - and the general introduction of a hot evening meal of Cocoa or Coffee, which I have urged upon the attention of Regimental Commanding Officers, have all contributed to produce good effects."

Testifying to the good effects of the new rotation system for

regiments serving abroad, Whittingham brought to Howick's attention the soldier's want of amusements. "I am aware", he wrote, "of Your Lordship's good intentions for the soldier's mind, by the introduction of approved literary works into the several Barracks, and I hope to live to witness the construction of Racket and Fives Courts and other arrangements, to encourage manly games tending to amuse and promote health". On August 25th, 1839, Howick wrote to inform Whittingham that he had strongly pressed on the consideration of the Ordnance Department the erection of Racket and Fives Courts for the recreation of the troops.

As for the good effects produced by the change in diet, a medical report, after a year's working of the new system, from the Windward and Leeward Command, showed that the rate of mortality through diseases of the bowels had fallen from an annual average of 20.7 per thousand to 11.3 per thousand.

As had been previously mentioned Howick addressed a memorandum on this whole question of rationing the troops to Melbourne as part of his campaign for the reorganization of the Army departments. This showed both on grounds of humanity and economy the deficiencies of the system then in vogue. Incorporated in it were details not only of the situation in the West Indies but also statistics and facts concerning the Mediterranean stations, which, as we have seen, Tulloch had been employed in gathering. Referring to the startling fact

that Gibraltar obtained its flour from America, Howick gave an example of how ludicrous could be the result of departmental inefficiency:-

"Large shipments of wheat are generally made to this country from the Mediterranean and Black Sea, but last year there being little demand for it here and the price being high in America much of it was taken out of bond and sent there; it was then ground into flour and shipped for Gibraltar where it was ultimately sold at the very place past which it had been carried some months before, after a tour of 8 or 9,000 miles and affording three profits to the Merchants of as many different countries." Howick observed that such examples had come to light casually in the course of statistical enquiries concerned with the health of the troops. Nothing was known of the manner in which other articles furnished by the Commissariat had been managed; equally startling examples of the waste of public money might be waiting to be uncovered. The memorandum ends with the now very familiar theme of calling for the erection of a Department with powers to exercise an effective supervision over all branches of Army administration.

A third most important reform carried out by Howick was one aimed at encouraging good behaviour among the troops and rendering recourse to various punishments less necessary. It was embodied in a Royal Warrant issued in 1836. This increased the advantages enjoyed in respect of pay and pensions by 'deserving soldiers',

that is by well-behaved ones. It was based on a recommendation of a Commission upon Military Punishments which had urged that greater encouragement should be afforded to soldiers to conduct themselves in an exemplary fashion. As a substitution for the additional pay granted to soldiers who had served a certain number of years, irrespective of the merits of the individuals concerned, from September 1st, 1836, Good Conduct Pay was to be granted. Those who had completed seven years' service were to be entitled to an extra penny a day and the right to wear a ring of lace round the right arm, provided that their names had not been entered in the Regimental Defaulters Book for at least two years prior to their claim. After fourteen years' service the soldier could claim a further penny a day and the right to wear two rings, provided he already possessed an extra penny per day for at least two years preceding a further claim. There was ~~yet~~ ^{yet} to be a further penny and ring for those who completed twenty-one years' service, provided the applicants had enjoyed possession of their extra pennies for at least two years before the claim was made. Soldiers who had one or more rings were entitled to have the full rate of the Good Conduct Pay they had been in possession of for five years preceding their discharge, added to the rate of the Pension, whether temporary or permanent, which they had a right to under existing Regulations. (40)

Another much needed reform with which Howick had much to do,
(40) War Office Papers.

though the question was not settled finally until Macaulay had replaced him at the War Office, concerned the differing rates of pay among Crown as opposed to East India Company troops in British India. This subject had been raised in the time of his predecessor, but nothing had been done about it. Therefore, on December 13th, 1836, Howick wrote the first letter in a long series of correspondence, pressing on Sir John Hobhouse, head of the Board of Control, the necessity of taking some action on the question.

His demands were as usual backed by weighty evidence, mainly in the form of a paper on the subject drawn up by A.M. Tulloch, Lieutenant of 45th Regiment, and a Minute by the Governor General of India (Bentinck) on the whole matter, dating from August, 1834. (41)

The point was that in the three Presidencies, Madras, Bombay and Bengal, the soldiers' English pay was converted into rupees at an arbitrary and fixed rate of exchange - this differing in Madras from the other two areas - much above that which the rupee bore in the Market, much above its intrinsic value, and much above the rate adopted between the Government and the East India Company for the settlement of their accounts at such rates of conversion the soldier did not receive the amount of pay for which he contracted at his enlistment. There were also a whole series of anomalies in other respects. In Bengal, where provisions were cheap, the East India Company supplied the

(41) Minute by Bentinck, Aug. 7th, 1834. War Office Papers.

soldier with a bread and meat ration, for which they deducted $3\frac{1}{2}$ d per day from his pay; the Company made a considerable profit in this way, by supplying the soldier with meat of an inferior quality at a lesser price than the amount taken from the soldier's pay. In the other areas the soldier purchased his own provisions. The soldier in Bombay and Madras, where the price of provisions was higher, only spent on an average the same amount as was deducted by the East India Company from the pay of troops at Bengal, yet they were able to provide themselves with food of superior quality. There were also different allowances for wives and children in the three presidencies. The result was that there was no uniform rate of pay in practice, as there was supposed to be in theory, throughout the three presidencies.

Howick campaigned for uniformity of practice throughout the three presidencies, and the issue of the rupee at its real value. This matter had not been settled when Howick was obliged to resign his office, but he continued to press the matter in Parliament, and his persistence was rewarded in the summer of 1840, when orders were issued that the pay and allowances of the European troops in the several presidencies were to be equalized, taking the allowances fixed for the Bengal Army as the standard for the whole of India.

These improvements in the situation of the British army abroad reflect very creditably upon Howick's tenure of the War Office, small as they may seem with the projected reorgan-

ization of military administration for which he campaigned. The two taken together - actual and projected improvements - show that Howick was a conscientious Secretary at War, who though not particularly liking the duties of the office which he held, strove to make administration more efficient, yet above all kept in the forefront of his mind the needs of human beings, whether these were connected with their accommodation or the need to provide Fives Courts for their amusement. It is this concern for the small (but to the troops concerned, important) details, which marks off a good administrator from his opposite, and one who is concerned with humanity from one engaged solely in running a machine as efficiently and as economically as possible.

D. Howick and Canada. (1835-9).

We now come to what would no doubt be considered by Howick as the most important problem which confronted the Melbourne Administration, and also their greatest failure. This was the problem of Canada, which, as we have seen, occupied much of Howick's time when Colonial Under-Secretary, under Lord Goderich, and which came only behind the West Indian problem in importance then. The period as Under-Secretary to the Colonial Department had determined Howick's main political interest; therefore, from the start, he took a great interest in the Canadian problem, when it made its appearance in a new form.

The Howick Act of 1831 had by no means brought an end to the series of disputes which disturbed the state of Lower Canada. By Papineau, the leader of most of the hostile French party, it was seen as a half-hearted concession wrung from a Government in reality hostile to Canadian aspirations. Apart from the wrangle over financial matters between Executive and Legislative^{ur}~~ive~~, other grievances, such as the Clergy Reserves and the composition of the Legislative Council, yet remained unsolved. Above all there was the fundamental antipathy between the minority of Englishmen, very commercially-conscious, who controlled the Legislative Council, and the majority of French Canadians, who predominated in the Assembly. The rift had widened in the session~~s~~ of 1834, when, under Papineau's guidance, a majority of the Assembly had passed the 92 Resolutions, which among other demands called for an elective Legislative Council, the unrestricted control of public finances by the Assembly, and the establishment of a High Court to try cases of impeachment laid against the judges and other public servants.

Peel's Government decided upon a commission of enquiry to consider Canadian grievances - though there were still some of the recommendations of the Canada Committee of 1828 which had not been acted upon. As has been mentioned Lord Aberdeen had desired that Howick should be one of the Commissioners. The Conservatives fell from power before they could carry out

this scheme, and it fell to Melbourne's Government to implement it. The Conservatives had preferred to send one High Commissioner; Melbourne's Cabinet decided upon three, the chief of whom, Lord Gosford (who was to replace Lord Aylmer as Governor of the Lower Province), was an Irishman with a reputation for liberal principles. His two companions were Sir Charles Grey and Sir George Gipps. Howick had suggested Lord Durham as a suitable Commissioner, but Melbourne said that the King would never accept such a proposal. (42)

Howick was quite clear about what ought to be the policy adopted towards Canada; the demands of the Assembly should be met, and the policy of conciliation, put into practice under Goderich, but discontinued when Stanley headed the Colonial Office, ought to be resumed. He saw this device for sending out Commissioners merely as a delaying one, but his views were overruled by the Cabinet. The only value of Commissioners, he believed, would be if they were allowed to act as negotiators with the various parties in the province under the guise of enquiring into Canadian grievances. The grievances of the popular party in Lower Canada were already known; what was needed was a settlement of such grievances along lines that would satisfy the main factions in the Province. Therefore, he pleaded with his colleagues for some indication to be given to the Commissioners that their real role was to be that of negotiators for a settlement, instead of a mere Commission of

Enquiry; but all was of no avail, and only their formal Instructions were given to the Commissioners. (43)

One difficulty that the Melbourne Government had to deal with upon Canadian questions was the attitude of William IV. This worthy, when confronted with Lord Gosford, is reported to have said:-

"Mind what you are about in Canada. By God, I will never consent to alienate the Crown Lands, nor to make the Council elective. Mind me, my Lord, the Cabinet is not my Cabinet; they had better take care, or, by God, I will have them impeached." (44)

He had previously spoken to Sir Charles Grey in a similar vein.

After the departure of the Commission^{er}s in the summer of 1835, nothing further occurred in connection with Canada, until November of that year, when a new Governor of Upper Canada was required to succeed Sir John Colborne, who had been recalled. At a Cabinet Dinner at Lord Melbourne's on November 18th, Howick supported the claim of Sir Francis Head for this post, whom Lord Glenelg favoured but would not decidedly propose. Sir Francis Bond Head had been an Assistant Poor Law Commissioner, was known by reputation to James Stephen, and had a reputation for being an able civil servant of liberal principles, a traveller and a writer. These seemed sound qualifications, but Head was to prove within a short while an extremely unsound choice. Howick must bear much of the responsibility for his

(43) Memo by Howick, June 17th, 1835. Canadian Papers.

(44) 'Lord Melbourne's Papers,' edited Lloyd E Sanders, 1889. p. 349, Note 1.

appointment. He noted in his Journal on that evening of 18th:-

"... it was with very considerable difficulty that after we went upstairs I got Ld Melbourne to give a grumbling consent to Sir F. Head's being chosen."

The next day, Howick stimulated Glenelg into sending immediately an offer of the post to Head. After no more than one interview with Glenelg, whom he had never seen before, and two with James Stephen, Head set sail for the U.S.A. en route for Toronto, where he arrived in January 1836. Nothing was said about his relations with the Commissioners.

It was in April, 1836, that Howick received from Stephen a box full of despatches from Canada, plus a preliminary report from the Commissioners. The Assembly of Lower Canada was still pursuing a provocative course; it had refused the arrears of pay to public servants brought about by its refusal to vote a Civil List while some of its demands were not yet met, had voted the supplies for only six months, and had voted a violent address to the King. As for the Commissioners, they had recommended a course of policy which was entirely opposed to Howick's; all advocated the suspension of the Howick Act of 1831.

Sunday, April 17th, was spent by Howick in making abstracts from all these papers, which task he finished the following day. On the Monday he wrote a long letter to Glenelg showing the mistaken Canadian policy that had been pursued in the past, but

fearing that it was rather too strongly worded, showed it to his father first, who recommended first obtaining the acquiescence of Melbourne; this was obtained, and the letter eventually forwarded.

On April 20th there was a long and, from Howick's viewpoint, unsatisfactory discussion on Canadian affairs in the Cabinet:-

"none of those present knew anything at all of the real state of the colony and Glenelg stated his case so ill that it was not likely they should have understood it any better than before, the consequence was that the wildest propositions were broached and I thought they were going headlong into a determination to propose the suspension of the Act of 1831, I remonstrated against this loudly." (45)

Later that day Howick had a talk with his two close friends at the Colonial Office, James Stephen and Sir George Grey, Parliamentary Under-Secretary to that office, and Howick's cousin; they agreed to recommend to Glenelg a course suggested by Stephen, the appointment of a Cabinet Committee of two or three to examine the problem, and to submit proposals for a solution of it to the Cabinet. This would lessen the influence of those in the Cabinet who were entirely ignorant of Canadian affairs, yet who persisted in voicing opinions on them.

This idea of a Cabinet Committee was rejected the following

(45) Journal, April 20th, 1836.

day at a further meeting of the Cabinet, which was otherwise more satisfactory, so far as Howick was concerned, than its predecessor. Instead of a Cabinet Committee, Glenelg was asked to recommend some definite policy, and was empowered to obtain the assistance of such colleagues as he chose. Howick outlined a scheme of his own concerning a reform of the Legislative Council, and gave reasons for his objection to the suspension of the Howick Act, on both of which topics he thought his utterances had some effect on his colleagues, who were in agreement that matters should not be brought to such a head where an armed contest would become inevitable.

On April 25th, 1836, Howick drew up a paper on Canada, which expressed some of his personal ideas on the problem. The main theme was that Canada could only be governed by deferring to public opinion in the Provinces; Canada's wealth, population, and her proximity to the United States made this absolutely necessary. Bringing matters to a point where they could only be resolved by force would lose Canada. Public opinion in Canada would be alienated by the suspension of the Howick Act, and by an exclusive concentration on the embarrassment of the Executive Government in Lower Canada. The only solution that was in the long run practical was to satisfy the demands of the Assembly, for most of these demands were backed by public opinion in the Province. There were two main demands; one that the Legislative Council should be elective, and the other

that the Executive should be directly responsible to the Assembly. It was necessary to give the Legislative Council more of a hold upon public opinion, and to make it more sympathetic to the majority of the Assembly; at the same time the Legislative Council would have to contain so large a proportion of those with opposite sentiments that the defection of a few from the opposing faction would ensure the rejection of a measure. The second demand was a recent one, and might be met by rendering the members of the Executive liable to impeachment before the Legislative Council, whilst the numbers of the Executive might be increased, and the governor be given ^{scie}~~dis~~cretionary power of summoning to its meetings only those people whose advice would most likely be of service. It would probably be necessary to give some of the leaders of the Popular Party offices in the public service. Howick suggested that the Commissioners should be authorized to sound the different parties in the Province on such lines.

On April 26th, Howick participated in a discussion at the Colonial Office with Glenelg, Stephen, George Grey, Lansdowne, and Spring Rice; it was decided that Stephen should prepare two papers, one a statement of recent events in all the North American colonies, the other a report on the policy which ought to be pursued towards them.

Howick believed that some reform of the Legislative Council was unavoidable. Had he not urged Goderich to make some changes

in its composition ? There were two main obstacles in the way of such a change; the King and the remainder of the Cabinet. Howick was not at this stage without hope of bringing most of his colleagues round to his views, and by the spring of 1836 he had some positive ideas on how a reform in that body could be made. He suggested a Legislative Council of about thirty-five members, which would be 'so far as possible a representation of what may be termed the intellectual aristocracy of the Province.' The qualification for voters for members of the Legislative Council should be based upon their having filled such situations as are usually only given to men of education and influence. Such voters were to send in lists of candidates favoured; these lists should only contain three names for every five councillors to be chosen, by this means Howick hoped to prevent one party in the Province from choosing the whole body. Councillors should be chosen for life, but on receiving an Address on the part of at least two-thirds of the Assembly, the Crown could dissolve both Houses. (46)

A Colonial Office Minute drawn up by Stephen at the close of April 1836, laid the alternative lines of policy before his superiors. The Government could repeal or suspend the Howick Act; it could apply to Parliament for money to defray existing arrears of pay for the public servants of the Colony, it could raise such funds by the sale or mortgage of Crown Lands in Lower Canada, or

(46) Memo. April 26th, 1836. Canadian Papers.

it need take no steps for raising such money immediately; it could make changes in the constitution of the Legislative Assembly, and if necessary, change the mode of election to the Assembly to lessen French preponderance therein; finally the Government could alter the constitution of the Executive Council.

On May 14th, Glenelg, no doubt influenced by Stephen's views on the subject, came out decidedly in favour of one more attempt at reconciliation with the Assembly, before there was an application to the Commons to pay the salaries of public officers. He recommended that the advice of the Commissioners as to the suspension of the Howick Act ought not to be followed. Only Howick supported Glenelg's view in the Cabinet at all heartily, but the remainder of their colleagues acquiesced in it.

Howick desired that in the despatches which were to be sent to Lord Gosford the necessity of some change in the Legislative Council should be shown, and the Governor clearly instructed that this was the settled policy of the Government, and that his task would be to find out from the various parties in the Province how this could be accomplished. The remainder of the Cabinet were not in favour of such a definite policy, but agreed to leave the whole matter of the Legislative Council as an open question into which the Governor should be instructed to enquire; drafts of despatches were made embodying this determination, and then sent to the King for his approval. William IV refused to agree to the drafts, he was against any

alteration in the constitution of the Legislative Council. The drafts of the despatches were modified to satisfy the King's prejudices; they then failed to convince Howick, who felt strongly on the whole subject of conciliating the Assembly. On May 29th, Maria wrote in the Journal:-

"H. only just told me before dinner that he was almost out of office - upon this Canadian business When Henry came to bed he told me that in consequence of the King's determined opposition to any change in the L. Council all the Cabinet had receded from their opinion - which at least went so far as to leave it an open question - and that the despatches as altered and with all their brains struck out were what he could not consent to have sent without being accompanied by some additional instructions giving the Governor a clue to the course of policy the Government at home had resolved on. From not attaching sufficient importance to Canadian affairs, from fear of offending the King by adopting a line of policy against which he is so prejudiced, and from fear of losing their places which governs a good many, there was literally not one but Henry who stood fast for the measure they had more than $\frac{1}{2}$ determined on some time back."

Howick was at work before breakfast on May 30th, writing a paper to prove the necessity of Lord Gosford being empowered to make a settlement on the basis of a change in the Legislative Council and the Assembly (a sop to the English party). This

paper was not finished before the Cabinet of that day, in which Glenelg informed his colleagues that the King was determined to oppose any change in the Legislative Council. Once away from the Cabinet Howick finished his paper to prove that such a change was in fact necessary; this paper he sent to Lord Melbourne - the recipient of a sizeable collection of papers from Howick - together with a letter stating that he would not consent to the drafts of the despatches as now altered, unless they were accompanied by more explanatory instructions, giving the Governor more information as to the course he was expected to pursue.

This paper of May 30th emphasized that the Cabinet had recently decided to make one attempt more at conciliation before going to Parliament for the wherewithal to pay the arrears of salaries. How could such an attempt at conciliation be successful unless the Government were prepared in some way to satisfy the demand of the Assembly as to some change in the composition of the Legislative Council? If the Government were sincere, on the other hand, in their desire for conciliation, then the only way to achieve this was to give more definite instructions to the Governor and Commissioners on satisfying the Assembly's chief demand; this could be done by means of a confidential communication to the Governor, stating that the Commissioners were to make it their duty to ascertain whether they could obtain the assent of both parties to some change in the constitution of the Legislative and Executive Councils, Other-

wise, throw this last chance of conciliation away, and the contest would become an armed one. When the Governor met the Assembly he would probably be pressed to say whether a change in the Legislative Council was to be expected; if he stated that the question had been referred to the home Government, the Assembly might take this as tantamount to a refusal and refuse all attempts at co-operation on their part; alternatively, the Assembly might await the decision of the British Government, which would be forced to decide on the question without knowing how their solution would be received in the Province. There would be little chance of a measure being accepted if the Province were not consulted, and the assent of the various parties secured. Here we see another key to Howick's Canadian policy; not only was conciliation of public opinion as expressed by the Province's elected representatives the only just and safe policy to be followed, but any measure in pursuance of that aim had first to have the consent of those primarily interested, that is the colonists themselves, not the British Government, no matter how disinterested that latter might be.

On the same day, Howick wrote to Melbourne sending him a copy of his paper; aware that his persistence over this matter, with no support in the Cabinet, seemed like mere obstinacy, he attempted to assure Melbourne that such was not the case. Stressing that he had always hitherto given in to the majority opinion of the Cabinet, and had even acquiesced in a course of

indecision over Canada which he had never considered to be wise, he made it clear that he could no longer be a party to such indecisiveness. If Melbourne had pursued Stanley's policy there might have been the chance of success, if he was still to embark upon a policy of concession there may yet be hopes of a successful outcome, but to remain irresolute would result in nothing but disgrace. If Howick's arguments were successful, he hoped that such a despatch as he desired would be prepared with the minimum of delay, containing as many arguments as possible as would be likely to recommend it to the King, and that Lord Melbourne himself should submit it to the latter, Howick being persuaded that the Prime Minister would succeed where Glenelg would fail.

Melbourne's reply to this letter, written on June 1st before the meeting of the Cabinet, asked Howick to reconsider this determination to resign if this question was not settled to his satisfaction. He laid stress upon 'the worst results' that might follow from known disunion in the Cabinet. As for himself, Melbourne considered that to him were committed the success of many important measures, plus 'the whole interests of the liberal party throughout the Empire.' Was it worthwhile to hazard these for the sake of a policy which was doubtful in itself, and 'little known and little interesting to the bulk of the community?' The awful events which Howick predicted would be the result of vacillation by the Government might never

occur; no human being could rely upon his own anticipation of future events, and, therefore, there was no justification for Howick risking the downfall of the Government and liberal principles merely so that his views might prevail.

At the Cabinet, Howick read his paper to his colleagues. There was not a single supporter for his suggestions. He then informed them he could not continue in the Government unless more explicit instructions were given to Lord Gosford. He prevailed upon them to suspend a decision on the matter for a day or two whilst he devoted himself to drafting a confidential despatch for Lord Gosford, on which he hoped that all the Cabinet would be brought to agree.

Most of his colleagues were unable to understand Howick's vehemence on the subject; they, no doubt, put it down to typical Howick obstinacy. Yet Howick was the only one who had made a thorough study of colonial affairs; as was natural, his colleagues attached more importance to the numerous difficulties which faced them at home; compared to these the affairs of a colonial Province upon the other side of the Atlantic seemed very unimportant. They certainly did not believe that matters were so grave that there was a danger of rebellion. Lord John Russell reflected all these attitudes - exasperation at Howick's conduct, disgust at the actions of the Assembly, and a view of the problem that looked only to the need for providing funds for carrying on the Executive Government - in a letter of June 1st,

asking whether Howick was pursuing a sensible course:-

"There was a measure recommended by the Commissioners which some of the Cabinet thought necessary - they yielded - there was another which Melbourne, Lansdowne and I thought due to our Servants in Canada - we yielded. And after so much compliance you seem to insist upon an instruction which Glenelg declares is already understood, and upon which if there is any difference, it can only be in the turn of a phrase, or the development of an argument on which we are all agreed."

On June 2nd, Howick sent a reply to the Prime Minister's letter, stating how reluctant he was to separate himself from Office and his friends in the Government on this matter:-

"I am very far from feeling that presumptuous confidence in my own judgment as to what policy should be pursued towards Canada which I fear you attribute to me. Had you been all agreed upon a clear and definite course different from that which I suggested I should have probably acquiesced in it but I really do feel that on such a subject we have no right to avoid the difficulty of a decision, by leaving everything to chance, and that if as I fear do what we will the issue is unfortunate, our character in the country would be gone for ever should it be shewn when all the correspondence is brought before Parliament that after a delay of seven weeks we had returned to Ld Gosford dispatches in fact saying nothing."

He had, however, prepared a draft of a confidential despatch, which though very different from one he would have composed if

his judgment had had free play, was yet better than nothing; in it he had as far as possible adopted the views of his colleagues, and would be glad to assent to further modifications not altogether inconsistent with what he held to be necessary.

On June 3rd, Howick read the draft of his confidential despatch to his colleagues, and upon the understanding that it should be sent as a private despatch to Gosford, and with a few minor changes, the Cabinet gave its assent to it. This draft despatch states, with regard to the Legislative Council, that the propriety of making a change in that body is a subject perfectly open to Lord Gosford's enquiry.

Even if the Commissioners were to recommend changes in the Legislative Council, there was still the opposition of the King to consider. Would most of the Government think it worthwhile to jeopardize their positions for the sake of a squabble in a remote colony? On June 7th, William IV wrote personally to Lord Melbourne, announcing his fixed resolution never to permit any alterations to be made in the mode of making appointments to colonial Councils. This was reinforced two days later by a letter to the Prime Minister from Sir Herbert Taylor, the King's private Secretary; referring to the King's attitude, he wrote:-

"... his objection ... is founded on conviction and on principle which he cannot abandon... he is satisfied that he is fulfilling the obligations of his high station by resisting the attempt to introduce what he views as organic changes." (47)

(47) William IV to Melbourne, June 7th, Taylor to Melbourne June 9th. 'Lord Melbourne's Papers', pp. 349-50.

Glenelg took Howick's draft of a confidential despatch to Windsor, where, as might have been expected, it did not receive the royal assent. Glenelg then promised Howick that he would in a purely personal and private letter to Gosford, as opposed to a private yet official communication from Government to Governor, mention the subject of an alteration in the composition of the Legislative Council as one worthy his attention. Of course this was much less satisfactory. Howick had first wanted a public despatch on the subject, then when royal opposition made this impossible, he had consented to a private confidential despatch from the Colonial Secretary to the Governor; this too had now been thwarted, and Howick had to content himself with hints on the subject dropped in a private letter from Lord Glenelg to Lord Gosford, a letter which could never be produced as evidence, should the worst happen, that the Government had at least attempted to satisfy the Assembly on this point, and that they had not ordered the Commissioners not to consider the subject.

Howick nearly came to the point of resigning over this question, but even though he decided not to, he was far from convinced that he was acting rightly in remaining in the Government:-

"I do not know that I am right in acquiescing in the adoption of such a miserable expedient for getting out of a difficulty with the King, as that which is to be adopted by

throwing upon Lord Gosford and the Commissioners the whole responsibility of determining what ought to be done on the most difficult questions of Colonial Policy." (48)

One of his reasons for remaining with his colleagues was that Sir Francis Head was meeting with success, all opposition in the Upper Province, which Howick hoped would have a good effect in the Lower. Most of his bitter feelings of mortification were unleashed against Glenelg, although the King had been the main obstacle in this instance:-

" to say what an utter contempt I have for Glenelg's mode of executing the duties of his important office is utterly impossible, he is many degrees worse than Lord Goderich, and yet he is undoubtedly an ^maimable well meaning man and of considerable talents, but his extreme indolence and total want of resolution render him in all important affairs utterly useless." (49)

Howick was disgusted with the despatches which were eventually sent to Lord Gosford, and wrote to Lord Melbourne to put on record his protests against them; he believed that the indecision and weakness of the Government would see the loss of the colony. He was aware that so long as no catastrophe occurred, the public would be indifferent to Canadian affairs, but if by chance the Government's policy lost or came near to losing Canada, this would no longer hold true.

" ... if things go wrong we shall be exhibited to the

(48) Journal, June 9th, 1836.

(49) Ibid.

world as men who from indecision of character and fear of responsibility have left to chance those important affairs of which it was our duty to have assumed the guidance."

Turning to Melbourne's fear - shared by many of the Cabinet - of a rupture with the King, and its possible consequences, Howick believed that indecision and weakness on the part of the Government were more likely to bring this about than firmness. If Melbourne had chosen to insist upon the original despatches, the King, so Howick believed, would have given way, especially with the House of Commons yet sitting. Now, if Lord Gosford did suggest an alteration in the Legislative Council, Melbourne would have to propose it in the recess, when he could count on no support from the Commons or a substantial section of it. The question whether the King would have given way on this point is doubtful, certainly his letter to Melbourne indicated that he would not have done so; as to Gosford proposing an alteration in the Legislative Council, this never materialized. Melbourne thanked Howick for his sacrifice of his views, remarked that he did not believe that Canada was near to catastrophe, and that even if it were, the course to prevent it was by no means as clear as Howick made it out to be. (50)

Towards the end of 1836 Lord Glenelg received the final

(50) Howick to Melbourne, June 15th.
Melbourne to Howick, June 17th.

report from the Commissioners. Whilst he was having printed copies of it, Howick wrote to his father on December 17th, in the following vein:-

"I acquiesce the less unwillingly in this inaction because in the state to which things have now been brought I see no course open to us which would be likely to lead to any good result, and as I am very much afraid that that which will be ultimately determined upon will be one to which I cannot agree I am not sorry to take the chances which the delay gives me of the Government going out upon something else, so as to save me from the painful necessity of giving it the first shake by withdrawing from it."

Obviously he was afraid that the Government would prefer to suspend or repeal the Howick Act, and go to Parliament for the money to pay the arrears of salaries, rather than tackle the question of the Legislative Council, in face of the King's opposition.

Shortly before Christmas, Howick received from the Colonial Office a Minute outlining a suggested plan of action with respect to Lower Canada. This first recited the demands of the Assembly, the most important of which were for an elective Legislative Council and an Executive Council responsible to the Assembly. If the latter were granted, 'Canada would cease to be a Colony of the British Empire, protected by British Arms, but exempt from authority of King and Parliament.' As for changes in the

Legislative Council, the Commissioners had rejected any schemes for an elected one; they had also opposed any change in the composition of the Assembly, as this would be an act of injustice so far as the French were concerned. It was the belief of the Commissioners that the administration of Lower Canada could be carried on if a Parliamentary grant were to pay off the existing arrears, and if the Territorial Revenues were reserved as a Civil List; the Colonial Office believed this to be an impractical suggestion. The Commissioners had also outlined an alternative scheme for securing the interposition of Parliament, which would then suspend the Constitution of Lower Canada, restore the revenues granted to the Assembly by the Howick Act to the Executive, and enact a law by which existing debts were to be paid from funds accumulated in the Colonial Treasury; the Colonial Office rejected this as too violent, and as a course which would surely lead to rebellion. It similarly rejected a scheme of Sir Charles Grey's for subdividing Lower Canada into five separate Colonies, which would send representatives to a Central Body.

In place of all these suggestions, the Colonial Office came forward with a plan of its own. Parliament was to be applied to for a loan to pay the arrears of salaries; the Civil List in future was to be met by funds from the Territorial Revenues, still under Crown control; if the Assembly decided to substitute other funds for a Civil List, then it could

appropriate the net proceeds of the Territorial Revenue. Quebec and Montreal were to be detached from Lower Canada and made Free Cities. The Commissioners who assembled at Montreal to apportion between Upper and Lower Canada, the important duties levied in the latter, were to be increased in number; Lower and Upper Canada were to supply three each, Quebec and Montreal two each, and the Crown one; the duties of these Commissioners were to be extended, being given powers over communications, and the postal and monetary systems in both Provinces. A Common Court was to be established for the trial of appeals and impeachments. Lower Canada would be divided into districts (Ridings), with institutions in these empowered to deliberate on all questions of local concern; this and the detachment of the commercial centres from the Province were intended to conciliate the minority of English people in Lower Canada, by preventing their concerns from being interfered with and pronounced upon, by the hostile French majority of the Assembly. Finally the North-West Boundary of the two Canadas was to be defined, leaving room for a further Province.

Howick, after carefully considering this plan, sent a series of queries on which he desired fuller information to Stephen, who answered them on January 2nd. One important point on which Howick had doubts was whether the money at the disposal of the Crown in the colony was sufficient, without the repeal of the Howick Act, to pay the interest on the proposed loan,

and also to provide for a Civil List; Stephen answered him that it was. Then, how would this plan be received in the Province? Its acceptance, Stephen admitted, was a matter of conjecture; the merchants in London who were concerned in Canadian affairs, especially the North American Land Company (one of the main ^{hatreds} ~~notions~~ of the Assembly), were sure to accept it; the English inhabitants of Quebec and Montreal, the Upper Province, and the inhabitants of the proposed English Ridings, it seemed certain would also accept it.

Howick's considered opinion upon the whole scheme was sent to Glenelg on January 4th. He had no alternative to offer, now his own ideas on Canada had not been accepted by his colleagues or recommended by the Commissioners. In the circumstances he thought it the only possible plan, not that he was very sanguine as to its success. He remarked at some length upon the most important conclusion to be drawn from the scheme:-

"Had this or some similar plan been proposed a year and a half a year, or even six months ago, we might by means of the Commissioners have ascertained what the feelings of the French Canadians would have been upon the subject and I believe had communications with them been judiciously managed it would not have been impossible to have their assent to some mode of adjusting the differences which have prevailed ... I cannot regard that measure as otherwise than one of very great severity towards the French Canadians, to separate from the Province its two chief

towns and a large tract of country hitherto considered as belonging to it and to do this with the certainty (if not the express purpose) of giving the rival nation an ascendancy in the old Capitals of the French Colony, cannot possibly be otherwise than most deeply mortifying to the descendants of the original Colonists. Now, however blameable may have been the conduct of the leaders of the Assembly, it would in my opinion have been highly satisfactory if before proceeding to this extremity against them ... a judicious attempt to avert its necessity had been made. I have always thought that the manner in which the power of England could be asserted most beneficially both for herself and for the Colony was by mediating between the two hostile races ... and it is therefore with very great reluctance indeed that I shall agree to the adoption of a measure which is founded on the assumption that the differences between the two races are irreconcilable and which will necessarily be felt as a deep injury by the one."

What would be the reactions of the French Canadians to this measure, would they submit? Finally, Howick regretted that the last opportunities for negotiations had been thrown away:-

" it is no longer possible by holding firm and conciliatory language to both parties, by shewing to each that by insisting on unreasonable demands they would throw the power of this country into the scale of their opponents, to attempt an amicable adjustment of the existing differences..."

The Colonial Office plan - its author being James Stephen - was a move in the direction of what was eventually recommended by Lord Durham; whereas Durham recommended an English ascendancy by the amalgamation of the two Provinces, this plan attempted to pare the powers of the French in Lower Canada with the least possible injustice to them, consistent with giving to the English communities therein full control over their own laws, customs and institutions.

Yet the injustice was still great; the Assembly was losing powers, the Province its finest cities (including its historic capital), for the sake of conciliating a minority of the population. Howick throughout consistently favoured concession to the Assembly, which represented the French majority; he was, therefore, more in favour of conciliating the French Canadians than any of his colleagues, yet at the same time hoped to do so in such a way as not to alienate the English minority; how this could have been done is not clear. Any further concessions to the Assembly, especially the great one of a change in the Legislative Council, would have further increased their powers to interfere in the affairs of the English community. The fundamental antagonisms between the two communities seemed too great; French law, French conservatism, French suspicions of commercialism on the one hand, English law and an active commercial enterprise on the other. One group had to triumph; Howick's policy, attempting to conciliate both, would almost

certainly never have satisfied the English community, and would have ended up by giving increased concession to the French alone - which in strict justice may have been the correct course. Yet strict justice has at times to bow to political expediency; the remainder of British North America was British in race, the French community in Lower Canada was an anomaly, and if the colonies in North America were to develop as a whole, it would have to be absorbed by the predominant racial group, with as much regard for its customs and interests as possible, but absorbed none the less. Otherwise the Canadas would remain as two antagonistic communities, with a vociferous minority group in the one, with which Upper Canada sympathized, and being bordered by the growing might of the United States made it dangerous for the Canadas to remain in their relatively backward condition.

Earl Grey was duly informed as to the latest steps in the Canada question; Howick mentioned that he was rather relieved that Glenelg had adopted Stephen's plan, fearing that instead he would have proposed a course to which Howick could never have agreed. Yet the whole plan, if it were to succeed, would require a degree of energy in maturing its details, which Howick was sure that Glenelg did not possess; Glenelg ought to have his bill ready when Parliament met, but knowing Glenelg, Howick was sure that this would not be so. (51)

Meanwhile Howick was exasperated by the half-hearted way in which Glenelg presented the plan before the Cabinet. Perhaps because of its ill presentation, only Howick - who was much struck at the ignorance of Canadian affairs exhibited by his colleagues - gave it his firm support. On January 23rd, Maria noted that the subject was again brought before the Cabinet, and that Glenelg again presented the plan (which was now somewhat modified from the original):-

"So feebly so ill stated that those who were not 'au fait' already could make neither head or tail of it and upon meeting with a few objections he was going to relinquish it altogether. However Lord John took it up and owing to him it was adopted."

However, on January 30th, Lord Glenelg's plan was finally abandoned by the Cabinet. The reasons for this step are nowhere explicitly given; Howick reported to his father on 26th that an entire paragraph of the King's Speech promised that the reports of the Commissioners would be laid before Parliament, and that measures relating to that colony would be proposed; these, Howick believed, would have a very mischievous result. Speaking of Glenelg's scheme, he stated:-

" further information (which ought to have been obtained long ago) has been received which shews that there are difficulties in the way of this scheme which I am afraid will be insurmountable". Unfortunately he does not enlarge on these, and they must remain matter of conjecture. Perhaps one reason was a belief that not

sufficient parliamentary support would be forthcoming for the plan; many might object to it as a departure from the recommendations of the Commissioners, and enquire what was the point of sending out such if their advice was then to be ignored; others might think the Government measures did not go far enough, others that they went too far. Perhaps the fact that there had been no time to sound public opinion in the Provinces, even the opinion of the English party, was another reason, or the scheme of detaching Quebec and Montreal from the rest of the Province may have been considered too drastic. At all events, most of the Cabinet, as we have seen, were not wholeheartedly in favour of the plan; the fact that it had emanated from Stephen may have something to do with this, for he was by no means popular with many in the Cabinet, including Melbourne; no doubt they wished for something more in conformity with the report of the Commissioners, so that they would not be met by embarrassing questions as to why the Government had seen fit to ignore the latter's advice.

Whatever the reason, the Government had abandoned its plan and had no other to substitute in its stead. January 31st, saw the opening of Parliament, and the King's Speech was to promise measures on Canadian affairs.

On February 3rd, Howick wrote a paper on Canada. This advocates the milder of the two measures recommended to the Commissioners; Parliament was to be asked for a grant to pay the arrears, certain resolutions were to be submitted to the

Commons on the points in dispute, and certain concessions recommended by the Commissioners (such as the repeal of the Tenures Act, safeguarding existing titles, and provisions for the resignation and dismissal in certain cases of members of the Legislative Council), were to be carried at once. This paper made it clear that such measures did not render it possible to carry on the government of the Province satisfactorily in the face of continued opposition from the Assembly; these measures merely removed an existing embarrassment, in the hope that an accommodation was not impracticable. Howick was still clinging to hopes of an agreement with the Assembly, but such hopes were steadily fading. True to his policy of attempting to conciliate both parties, instead of choosing between them, Howick advocated the offer of a central authority at Montreal to which should be committed the power of legislating on all commercial matters as a concession to the English, whilst for the French some improvement in the Legislative Council, short of making it elective, could be recommended. At the same time, to counter the intransigence of the predominant party in the Assembly, that headed by Papineau, the constitutional powers of the Crown could be used in such a way as to convince this party and their electors of the inconvenience of the present 'impasse'; the royal assent to the appropriation of money for objects which the Assembly favoured might be refused, if the revenues left to the Crown could not pay the expenses of the gaols, these could be opened and the

prisoners turned out of doors. His paper ends by offering the only real clue as to the main reason why the original plan had been abandoned:-

"By now communicating to Ld Gosford and to Sir Francis Head the measures to which in the case of necessity we propose ultimately to resort, we may learn from them how far these measures are calculated to answer their intended object, and thus before another year we shall obviate the great obstacle which it has now been felt to be impossible to overcome in carrying into execution the project which Ld Glenelg originally proposed."

This paper shows Howick, whilst still hoping for a compromise and a reconciliation with the Assembly, beginning to realize that the intransigence of the French party was to some extent to blame for the situation, and to think hesitantly of some form of coercion - in constitutional form - to make them moderate their demands.

Lord John Russell's Ten Resolutions, introduced in the Commons on March 4, 1837, advocated substantially the same course; they stated that the creation of an elective Legislative Council was inopportune, but promised to make it more popular; rejected the proposal of an Executive Council responsible to the Assembly; refused to agree to the disbandment of the British American Land Company and the loss of their lands in the Colony; offered hope of a revocation of the Tenure Act; authorized the Governor to take funds from the Colonial Treasury for payment of those

expenses for which the Assembly refused to make a grant; offered the cession of the Territorial Revenues of the Crown should a permanent Civil List be granted; and urged the legislatures of Upper and Lower Canada to settle matters of common interest to the two Provinces.

The danger of constitutional deadlock leading to armed conflict, the fear that when the French Canadians saw that their demands were not satisfied, they would rise, led Glenelg to propose in the Cabinet on March 18th that two regiments be sent to Canada. This was firmly opposed by Howick, as only likely to be a further measure of provocation, and to lessen the chances of a settlement still further.

It was about this time that Howick had a conversation with Ellice and Roebuck in the House of Commons, as a result of which he appointed the latter to come and see him. John Arthur Roebuck, who had been born in Madras, but brought up chiefly in Canada, was a Radical M.P., who in 1835 had been appointed by the Assembly of Lower Canada as their agent in England. At the War Office, Howick and Roebuck had 'a long and amiable discussion' on Canadian affairs, as a result of which the latter promised to put down on paper his views as to how an accommodation with the Assembly might yet be effected. This he did, and gave the finished product to Howick on the evening of March 20th.

Roebuck's plan dealt first with the Legislative Council. He stated that every party agreed that as constituted at

present the Legislative Council was a failure. Even if its composition were reformed, and it was rendered identical in feeling with the Assembly, this would not satisfy the Assembly in their present temper. The most satisfactory course was to abolish it altogether.

The great objection to a single chamber legislature was that it did not provide for a body to amend and revise its acts, a power which was of great advantage, providing it was used wisely. Roebuck, therefore, having abolished the second chamber, proposed to place its powers into the hands of the Governor in Council. The Executive Council was to be chosen by the Governor, and membership was to be 'during pleasure'; no laws need limit the numbers of this Council or debar the Governor from choosing any particular class of persons. Roebuck gave an illustration of how this part of his plan would work; a bill from the Assembly would be sent to the Governor in Council, it would there receive various amendments and would be sent back to the Assembly for their acceptance or rejection; the Assembly would do as it saw fit, and would then send the bill not to the Governor in Council, but to the Governor alone. The Governor could approve, veto, or reserve the King's assent to the bill; he alone could not revise or amend it.

Roebuck's third proposal was for a federative assembly to be chosen by the Assemblies of all the North American Provinces, with clearly defined powers, which could determine all disputes

existing among the various colonies, and which could serve as a tribunal before which judges could be tried.

After all these measures were carried out, the Crown ought to surrender its Casual and Territorial Revenues to the Assembly. The Assembly would then provide a Civil List (consisting of the Governor, His Secretary, the twelve senior Executive Councillors and the Judges); the term of the Civil List would be for about seven years.

This new Government ought to be established before any decision was taken on a new boundary line for the Canadas, otherwise it would be said that attempts were being made to render the French Canadians less formidable. The North American Land Company which was detested by the French Canadians, could be provided with lands in the new Province it was proposed to create, and its lands in Lower Canada could be sold. If all these points were granted, Roebuck concluded, 'England might consider that she had gained a new lease of her present precarious property in North America.'

The following day, Howick sent to Roebuck his observations on the latter's proposals, stressing that these were his own private opinions.

He had no objections to the suggested changes in the Legislative and Executive Councils, but there was an attitude in the country which would oppose any changes in these two organs:-

"It is a fact which cannot be overlooked that there is

not only in the House of Lords but also in the House of Commons a very strong and general feeling of irritation against the leaders of the Assembly of Lower Canada, and an indisposition to make any further concessions to them and hence it would be impracticable to carry such a plan as has been brought forward unless accompanied by some concession on the other side, and unless proposed with the greatest caution".

Therefore, he suggested that the change should come into operation only "if the terms offered for the adjustment of the existing differences be adopted by the Assembly as a whole, and more particularly if a Civil List should be granted for 10 years."

He suggested limiting the judicial functions of the proposed federal assembly to the trial of impeachments; a Court of Appeal could be constituted for other judicial matters. Each of the North American colonies could become subject to the authority of the federal assembly upon a vote of its legislature appointing representatives for it. One great difficulty arose as to whether the gross or net revenue of the Casual and Territorial Revenue was to be given up:-

"Much importance is justly attached to preserving to the Executive Government the unfettered power of managing the Crown property, and it is to be hoped that the Assembly would accept as a sufficient security against any possible abuse of this ^{discre} ~~discretionary~~ power a provision that a report should be annually made to them of all the proceedings of the Government in the

management of the property, with detailed accounts of the receipts and expenditure. This would practically render it quite impossible for the Executive Government to misapply any part of the sums deducted from the gross receipts for the expenses of management. Of course the surrender of the Casual and Territorial Revenue would be for the same period only with the grant of the Civil List."

Howick advocated adding the salaries of the Attorney and Solicitor General to the Civil List. The whole question of the Land Company was a very embarrassing one:-

"it is very doubtful whether any Government in this Country would have the power of depriving the Co. of the Privilege it has acquired unless with the assent of the proprietors!"

On March 22nd, Roebuck replied to these observations, writing from Hampshire, where he was staying. The reply was encouraging; Roebuck thought that the differences between the two points of view were not very great; the two main ones were the terms upon which the Crown was to give up its revenues, and the question of the Land Company. Howick's plan for giving to the Assembly a full account of the management of the Crown property would greatly obviate the first difficulty.

Howick's proviso that the proposed changes should not take place unless a Civil List were granted, would tend to facilitate matters, 'as an option would thus be left to the Assembly gratifying rather to their pride - the change would

not seem forced upon them whether they would or no.' Roebuck preferred a seven year Civil List; he had no objection to including the Attorney and Solicitor General in this in place of two of the senior Executive Councillors. The whole measure ought, he believed, to be offered to the Assembly if the Civil List were granted; any prior attempt to settle all existing disputes would only prove embarrassing, and might cause the plan to fail. The Land Company was one main cause of disunion; the Assembly would never yield on this subject, nor would they pay an indemnity to the Company for the loss of its lands; before the creation of the Company the Assembly had protested against such interference with the colony's internal affairs, and if there was to be any indemnification it would have to come by England granting the equivalent of the Company's lands in Lower Canada to them in the proposed new colony north of the St. Lawrence, or in Australia.

Roebuck's plan was a courageous and bold attempt to adjust the differences amicably between the Government and its public servants in the Colony and the French majority in the Assembly. From the start, however, it had no hope of success; how could Howick, having failed previously to bring the Cabinet round to his own point of view, have expected them to adopt a plan which was strongly suspect for a variety of reasons. First it came from the accredited Agent of the Assembly, and as might have been expected was rather pro-French. Secondly, Roebuck

was a Radical, a member of a suspect group disliked by many Whigs and all Conservatives; Howick himself was an opponent of Radicalism, but he had conquered his prejudices against an individual's tenets because he valued his specialist opinion on one topic; how many of Howick's colleagues could, however, so easily shelve their prejudices? The chance of a plan succeeding which was based on the recommendation of a Radical and the Assembly's agent was remote; the majority of the Commons, even those of 'liberal' opinions, were growing hostile to the French party in Lower Canada. Besides, Roebuck's plan was not at all in conformity with the recommendation of the Commissioners. Resolutions based on these recommendations were already before the House; could the Government be expected to change its course so drastically on the assertions of such a man? Then there was the difficulty of the Legislative Council; if the King was so obstinate when it came to urging minor reforms in that body, what would be the reaction of the ^{and} King's English party in Lower Canada, and all who supported them in the Commons, to such a proposal? What would public opinion in the Province think of the plan as a whole? These were all weighty objections, too weighty for Roebuck's plan to have a chance of success.

It was a forlorn hope, but Howick did his best to convince his colleagues as to the virtues of the plan. On March 23rd, the day when Howick received his last letter from Roebuck, he had

copies made of all the papers in the correspondence, and sent them to Glenelg, begging to see him the following day. He did see Glenelg, who proved to be less unfavourable to the scheme than Howick had expected, but he was 'as usual full of doubts and obviously inclined to do nothing.' On March 25th, he sent copies of these papers to Russell; on April 3rd, when Howick returned to town, he found a paper from Russell outlining his own views on Canada, which were very different from what Howick had hoped, and seemed to him very unsatisfactory.

Under the date, April 4th, Maria noted in the Journal what the latest developments in Canada were, when the members of the Government had re-assembled in the capital:-

"There was a Cabinet today upon Canada in which I fancy Henry stood quite alone and I fear has no chance of carrying his views into effect. He was not very communicative about it but he said that Ld Melbourne took much part against him - and more than he usually does in the discussions. He passed the whole Evening in writing on the subject - I wish I understood it better and then I daresay I should agree with him - but at present I feel much prejudice against anything urged by Roebuck and a great horror of H's breaking up the Govt by resigning when so little is necessary to upset it and bring much confusion besides the personal unpopularity which would annoy me much. If some others held the same opinions I should not.... so much mind, I daresay."

If even his own wife were doubtful about his activities on behalf of Roebuck's plan, how much stronger were the objections of his colleagues !

On April 5th, Howick feeling in need of advice, turned to the source which he trusted best with this commodity. He sent some papers on Canadian affairs to his father, the last of which was one which he proposed to send to Lord John Russell; he was very anxious to have Earl Grey's opinion on the latter, because it could conceivably lead to him resigning from the Government. Earl Grey's reply was, however, unsatisfactory; he refused to give an opinion on Canadian problems because since he had quitted office he had lost all touch with them, and had no information on which to base a judgment. Earl Grey, however, was the last person to favour a plan which had been suggested by a Radical, and he informed his son that he dis-trusted Roebuck.

Maria was anxious that Howick should not send his paper to Russell and sever himself from his colleagues over this question. At lunch, on April 6th, she talked earnestly to him on the subject; Howick stated that he had gone too far. Maria's pleas did have some effect, for Howick sent his paper to Sir George Grey, and requested him and Stephen to give their opinions on it. The result was that Sir George Grey came and convinced Howick that he would not be justified in making a stand on this question; to a certain extent it was contrary to policy on

which Howick had previously agreed. To Maria's relief, Howick allowed himself to be convinced, and he did not send his paper to Lord John.

On April 14th, the Canada Resolutions were again brought forward. Roebuck explained to the Commons his plan of accommodation; Russell replied by stating that it was impossible to accept the plan upon Roebuck's unauthorized proposal, but expressed no indisposition to it should it be accepted by both parties in the Province. After these speeches were over, Howick had a long conversation with Roebuck in the passage leading to the Lords. Howick expressed his opinion that he thought Roebuck's plan was a very good one, but he had been obliged to agree that it could not be accepted merely upon his proposal. Howick agreed that Roebuck would have to oppose the Resolutions, but hoped that once they were passed, the latter would still do his best to promote an accommodation with the Assembly. Both agreed that a good Governor would have settled all disputes long before now - indeed when Howick was Under-Secretary under Lord Goderich, he had urged the recall of Lord Aylmer - and that it was not impossible that a future Governor could still effect that desired end. After this amicable discussion, both had tea together. Roebuck, however, was mortified by the rejection of his plan, and later that night he bitterly denounced the Government's measure and their rejection of his overtures.

In the summer of 1837 the Government proceeded to draw

up a Canada Bill, based on Russell's Resolutions. Again they had to meet objections from the King; William IV was opposed to the clause in the proposed Bill which made future appointments to the Legislative Council for the duration of the Parliament, instead of for life. When the Cabinet debated this objection on June 10th, Lord Glenelg was in favour of giving up the clause, but to Howick's delight, Russell insisted on maintaining it. Probably this was the King's last active intervention in politics; ten days later came the news of his death, with the result that almost all bills had to be abandoned and the session finished as soon as possible. So the Canada Bill never matured.

The autumn and winter of that year brought serious news from Canada. By the end of October, word had been received in England that the French party, furious at the action of Parliament, were drilling and practising openly with ball cartridges. The Governor was alarmed, and seemed to desire to be relieved; no progress had been made by the Government in finding a person to succeed him, or even to decide upon a course of policy. The situation in Upper Canada was also causing the home authorities some concern; there Sir Francis Head had been braving the Colonial Office, refusing to obey orders, and writing outrageous despatches, and even Howick was convinced that his recall was necessary.

In the crisis to which Canadian affairs were rapidly moving, there was one man who seemed to command the necessary prestige and popularity to succeed as a Governor of Lower Canada.

Lord Durham, Howick's brother-in-law, was that man. As an idol of the Radicals his appointment as Governor of Lower Canada might be interpreted by the Assembly as a conciliatory gesture, and stop the drift towards rebellion; and there was hope that a man of Durham's talents might solve the Canadian imbroglio. Who first suggested Durham's appointment as Governor is uncertain, it may have been Howick; Melbourne, the Prime Minister, disliked Durham intensely so it is unlikely to have emanated from him. As early as July 22nd, an offer of Canada had been made to Durham, who had refused; this refusal was not taken as final by the Cabinet, and on November 7th, they commissioned Lord Duncannon to sound him again on the subject; at nearly the same time the Cabinet gave orders for the recall of Sir Francis Head.

At the end of November, Howick was exasperated by Glenelg's slowness in deciding upon sending a regiment to Canada; no longer did Howick object to any armed forces being sent there, an indication of how far the situation had deteriorated. At the same time Roebuck was alarming Melbourne with reports as to the probable effect a Canadian revolt would have on United States' opinion, particularly in the border areas. Nothing had been settled as to the line of policy the Government was to adopt; the march of events was making the Canada Resolutions hardly adequate to meet the situation. In early December a project was mooted of constructing all the North American

Provinces into a federation. At about the same date, Durham expressed himself in favour of going to Canada; he discussed the offer with Howick, and both agreed that he should demand extensive powers for acting on his own initiative.

On December 22nd, the expected news came from Lower Canada; a rebellion had broken out. It appears to have been triggered off accidentally. In November, Papineau, on the advice of friends who considered his continued presence in Montreal would create disturbances, decided to withdraw from Montreal; his withdrawal was interpreted by the authorities as a prelude to rebellion, and this caused them to issue warrants for the arrest of the French leaders; at two villages, the attempts at arrest were resisted, and this marked the beginning of the rebellion. Roebuck later told Howick that the French leaders would have submitted to being arrested, but that the Jury law having been a temporary act had lately expired, and left in force an old law by which the Sheriff would have had the complete power of picking a jury of the English party, the members of which had been openly boasting that the only course to adopt was that of "cutting off the heads of the tallest poppies". (52) The explosive situation in the Province had led to the rebellion, of which the arrests were the occasion, not the cause, and this situation was brought about by the intransigence of both parties in the Province, plus the

vacillation of the British Government.

On December 14th, Howick sent his father the latest Canadian news, and informed him that preparations were on foot for sending a large force to Canada in the Spring. Howick's one hope now was that Durham should succeed in conciliating the hostile elements of the population. "I very much reproach myself," Howick added, "for having entirely against my own judgment agreed to remain in the Government in 1836 when out of fear of the king my proposal of sending out specific instructions to Lord Gosford was over-ruled." Some days later, he wrote:-

"... the whole policy of the Government will necessarily be closely scrutinized it will be found to have been contemptibly and childishly weak and I shall neither have one word to say in its defence nor the right of decid^{lar}ing that I have all along disapproved of it, and done all I could to resist it." (53)

A decision was reached at the Cabinet on December 23rd as to the number of troops which were to be sent to Canada as soon as the St. Lawrence could be navigated; the force then was to consist of ten thousand men plus artillery. At the same time, there was some discussion as to what measures were to be proposed to Parliament. Only Howick supported a plan which had been suggested by Ellice, for allowing the local legislatures to amend

(53) Howick to Earl Grey, December, 18th, 1837.

the Act of 1791 so far as it related to the Councils. Many of the Cabinet, according to Howick, were set on nothing but coercion. Howick's position in the Cabinet was very uncomfortable; all along he had been the advocate of conciliation, but had bowed to the decision of his colleagues when they had objected to his proposals. Now, whether from the reasons he claimed to have caused it or not, a rebellion had occurred as he had predicted, and still the majority of the Cabinet were not prepared to attempt a settlement by concessions which Howick thought necessary. Writing to his father on December 23rd, Howick announced that he would not consent to be a party to a policy of negative coercion:

"unless something is done also to conciliate the inhabitants of the colony and from symptoms which appeared today in the cabinet of the opinions of others I do not anticipate that this will be done. If not I have made up my mind that the time is come when I can no further join in measures of which I have never approved and there is therefore every probability that before Parliament meets again on the 16th, I shall be out of office... there is no safety in going on with so inefficient a person as Glenelg in his important office, and also ... it will be a great relief to me to be in a situation in which I shall have the right of expressing my real opinions about all that has been done in Canada."

On December 26th, the Cabinet agreed, though Howick did not form one of the majority, that the chief heads of a Canada

bill should be drawn up to include the suspension of the habeas corpus act for a year, the grant of £50,000 a year out of the colonial revenues for the public service by the authority of Parliament for three years, the changes in the Legislative Council as proposed in the Canada Resolutions, and a power to the Governor to continue expiring acts.

It was at this time that Howick's exasperation at Glenelg's mishandling of colonial affairs came to such a head that he sent a letter to Melbourne suggesting that Russell should be given the Colonial Office, Duncannon the Home Office, and Glenelg perhaps the Privy Seal. Melbourne replied that such a switch of offices was impossible, that it would make Glenelg the scape-goat for the errors of the whole Government, and that it would incriminate the rest of the Cabinet for having kept an incompetent so long in that office. Melbourne himself, so he told Lady Howick when they met at Holland House, cast most of the blame for the Canadian problem upon the Howick Act of 1831, and asked if her husband would consent to its repeal; Maria replied that if such a step were taken Melbourne would have to find himself a new Secretary at War. (54)

On December 28th, there was produced yet another plan for Canada; its author was James Stephen. This advocated the establishment of a Convention from all the British North American Provinces to advise ^{and} ~~the~~ assist the Crown. Such a mark of confidence, Stephen believed, would go far towards retaining the

loyalty of the other Provinces. On the advice of this body, the Government could concede or resist with a knowledge of a great accession of moral and physical force to back it; at the same time such a mark of unity would act as a check against United States' ambitions. A Convention would be a rallying point for loyal French Canadians, and would provide the insurgents with an apology for laying down their arms should they so wish. A Convention could determine all the controversial questions of government and finance, without the further intervention of the British Parliament, which would only need to give its sanction to a settlement.

This was very like a plan devised by Howick, and when Glenelg outlined Stephen's proposals to the Cabinet on December 29th, Howick supported them. He was the only one. On that same day he had a conversation with Roebuck, who expressed his desire to do the utmost in his power to end the civil war, and who stated his preference for the continuance of the Canadian connection with this country rather than with the United States. Roebuck suggested that his scheme of the earlier part of the year should be attempted, but Howick pointed out the impossibility of carrying this through the Commons, plus the bad effect it would have in Canada, being considered as simply a surrender to illegal rebellion. Howick outlined his own plan, which as has been stated, was almost identical with Stephen's. Roebuck disliked the idea of the suspension of the Assembly's powers

which such a plan would involve, but if all disputed questions were to be referred to a Convention, he promised to do all he could to promote the success of the measure.

On that same evening Howick wrote a paper on Canada, and the following day sent a copy of this to Lord John Russell. This first recited the measures which the Government contemplated with respect to Canada. These were: the Habeas Corpus Act to be suspended in Lower Canada for a year, the Governor to be authorized to continue in force for a year expiring acts, the repayment from the Colonial Treasury of the vote of credit which had been advanced last Session, and the application by the Governor of £50,000 per annum from that same source, for three years, to the public service, without the consent of the Colonial Legislature. The constitution of the Legislative Council was to be altered by enabling members to resign voluntarily and providing for their removal for misconduct, by making seats tenable in that Council for the duration of Parliament only, and not for life, and by authorizing the Provincial Legislatives^{ur} to lay down rules for the choice of Councillors from particular classes and descriptions of persons. The Governor was to call together delegates chosen by the Assemblies of all British North America to deliberate on all subjects of common interest and to prepare bills for the consent of the several legislatives^{ur}.

Howick objected that these measures did not give the

Governor sufficient legislative authority; again it was his argument that it was far better for the man on the spot to legislate for Canada than for a Parliament on the other side of the ocean to do so. He also objected to the arbitrary appropriation of colonial revenues by Parliament; he stated that the feeling in other North American provinces would be strongly against this. As for the Legislative Council, the proposed changes would satisfy neither party; for the French the changes would not go far enough, whilst the English would regard them as a timid concession to rebels. Altering the constitution of the Legislative Council without the consent of the French party and without consulting them would be merely a further insult to them. It would be impossible to give the proposed federal body sufficient authority without the invasion of the privileges of the several legislatures.

Having outlined his objections, Howick proposed his own solution. He suggested limiting the intervention of Parliament to two objects. The first of these was to suspend the meetings of the Parliament of Lower Canada for one year, for all purposes but that of choosing delegates to a Convention; the second was to give the Governor power to summon a convention of delegates from all British North America, six of which delegates would be chosen by each Assembly, two by each Council. This Convention would consider what alterations might be necessary in the Act of 1791 or in the Constitution of Provinces in which that Act did not apply. It would also devise means for

constituting a federal body which could legislate upon all subjects of common interest to the Provinces. Laws for such purposes, after being sent from Convention to Governor and being assented to by the latter, would be transmitted home, to come into force, if not disallowed by Her Majesty in Council, after having been for one month laid on the Table of each House.

The advantages of this course were many. It would greatly abridge time spent in passing a Canadian measure through Parliament; all that would be required would be a short and simple bill. The more ample powers residing in the Governor would be an advantage. It would be taken by British North America to be a mark of confidence, and would tend to strengthen the tie between colonies and Mother Country. If the Legislative Council's constitution were altered by such a body, it would have more chance of acceptance than if altered by the British Parliament. Howick was confident that a Convention would grant a permanent Civil List for Lower Canada. In addition, he restated the arguments advanced by Stephen ~~his~~^{as} support for the creation of such a body.

Referring to the North American colonies generally, Howick wrote:-

"Their advance in wealth and population has been so rapid that they have outgrown the system of Government which has hitherto prevailed. Two millions of people, a large proportion of them well-educated and intelligent, occupying an immense

territory at the other side of the Atlantic will never submit to that sort of control which in the infancy of the Colonies was proper and useful; they can only be retained under the authority of the Mother Country by taking care that this authority shall sit lightly upon them. The creation of the proposed federal body would supply that bond of connection between the different provinces which has hitherto been found only in their subjection to the dominion of the Parent State, and would thus enable the Home Government gradually to relax the reins of its authority and to substitute a system of ruling by influence for one of direct control. Such a change would be equally for the interest of all parties."

On the very day that Howick sent this paper to Russell, he had a further talk with Durham about Canada. Durham wished to go to Canada, but he wanted to be entrusted with a sufficiently wide range of powers, and he desired that the Government measure on Canada would be one which he could approve. At the same time he suggested various things which were new to Howick and which the latter believed were well worthy of consideration. Finally, Durham stated that the business of the Colonial Office had never been carried out satisfactorily since Howick left as Colonial Under-Secretary.

Howick's latest suggestion did not win favour from his colleagues. On the last day of December he received a remonstrance from Duncannon, urging him to give way to the

majority of the Cabinet. The next day came an unfavourable response from Lord John; Maria describes his letter as "rather cross and sneering". On January 2nd, Howick received a letter from Melbourne which destroyed what few hopes remained of his views prevailing; this stated that the proposed Convention would be 'at once giving to these provinces the Constitution of the United States.' Melbourne concluded by saying:-

"Dont make pictures in your own mind. Dont fall in love with the beautiful creation of Mr Stephen's fancy."

Howick was nothing if not persistent; he still refused to give up hope of convincing his colleagues. On January 2nd, he sent a further paper to Lord John arguing against the repeal of the Howick Act, with which idea the latter was toying. He was also at odds with Lord John over the nature of a proposed Convention; if there were to be a Convention, Russell wanted it to be merely an advisory body, whilst Howick wished to give it legislative powers. At the same time Howick sent a letter to the Prime Minister, endeavouring to convince him of the difficulties of legislating in this country on the constitution of the Canadas; and how much better all the disputed points (alterations in the constitution of the Legislative Council, the question of the revenue, the provision of a Civil List), could be decided by a Convention than by Parliament.

All was to no avail. On January 3rd, the Cabinet rejected the idea of a Convention, but did accept the changes Howick proposed in the coercive part of the plan. Instead of Parliament

suspending the Habeas Corpus Act, appropriating colonial revenue, and continuing expiring acts, it was decided to create a legislative power in the colony. Howick wanted this power to be given to the Governor in Council, the Council being a small one, but it was decided to revive the act of 1774, which stipulated that there must not be less than seventeen members in the Council. Howick noted in his Journal:-

'I thought myself definitely out of office when it was over'.

Melbourne had simply favoured coercion, whilst Thomson had disgusted Howick by his mode of expressing himself about the punishment of the rebels.

The day previous to the crucial Cabinet of the 5th, Maria writes:-

'Strange to say I think Henry would not dislike going out. He does not approve of the whole colonial policy and would be glad to get rid of his share of the responsibility for Lord Glenelg's proceedings.'

Maria was worried by the fact that if Howick resigned he would have no supporters for his course, except George Grey, and she was worried by the fact that people might class him with Roebuck and other 'desperate politicians'.

On the 5th came news of a disturbance in Upper Canada led by Mackenzie. Howick found at the Cabinet that his colleagues had consented to a modification of his plan, which, though he

did not like it, he felt left no grounds for resigning. In fact he was convinced that except perhaps for Russell no one liked it. Instead of delegates from all the North American colonies, they were to be from the two Canadas only, and instead of constituting a body with legislative powers, they were only to be an advisory body for the Governor, to concert measures to be laid before Parliament. It was not a very satisfactory compromise from Howick's point of view. His scheme for a Convention representing the whole of British North America, with powers to legislate on all disputed topics, had shrunk to the scale of an advisory committee representing merely the two Canadas. This had only been achieved after a struggle, for most of the Cabinet preferred mainly confining the Canadian measure to the suspension of the constitution, leaving any changes until peace was firmly restored. As for Howick, Maria noted:-

'He would rather have been out and that they should have pursued the course they thought fit - but he said that as they gave up so much to meet his views he also was obliged to consent to sacrifice some of his.'

On January 9th, Earl Grey wrote to Howick about his decision to remain in the Government. Grey was not in favour of a body with legislative powers such as Howick's Convention; he believed that ^{it} ~~he~~ would not be safe for a Governor to conclude a settlement without prior reference to the Government at home. He was glad that Howick had decided to remain in the Government:-

'as, I do not think any ground on which you could have

placed your resignation, would have been satisfactory to the Publick; and the mere fact of your going out unsupported by any one of your Colleagues would tell against you ... If things turn out well in the suppression of the Insurrection you will then be enabled to insist with indisputable propriety, on measures being taken for a satisfactory settlement, and then, if these are refused, will be the time for you to withdraw yourself from the Government.'

On the 10th Melbourne informed Howick that Durham was opposed to having to deal with a Council of seventeen members, and that he had given his approval to the idea of a Convention, 'saying it is the first suggestion he has seen which gives him a hope of tranquillizing the colony - but he wants legislative powers as proposed by me'. As a result Melbourne and Glenelg were inclining towards adopting Howick's measure for giving legislative power to the committee, which was all that remained of Howick's conception of a Convention. Singularly enough Howick and his supporter, George Grey, were no longer keen to give the proposed committee legislative powers, unless its constitution were enlarged. Howick probably believed that the committee was not sufficiently representative as now envisaged to justify the grant of legislative powers; whereas the proposed Convention was; he may also have been influenced by his father's views. Whatever the reason, Howick no longer favoured giving legislative powers to the committee, instead it was to be an advisory body. On January 13th, the Cabinet modified their

decision on the Governor's Council to meet Durham's wishes; no longer would he be restricted by the necessity of consulting a council of seventeen. The Cabinet decided to adhere to their original decision not to grant legislative powers to the committee of the two Provinces. On January 15th, 1838, Lord Durham accepted the Government of Canada.

The whole subject of Canada, the difficulties involved, and the division between Howick and the remainder of his colleagues, were beginning to fray nerves. On January 20th, the Cabinet met to consider the proposed instructions to Durham. There then occurred 'a most vehement and angry debate' when it was found that part of the proposed instructions had been altered without the agreement of the Cabinet. According to Howick, what had happened was that Labouchere had objected to the mode of choosing the delegates from Upper Canada to the proposed Committee; he thought that they ought not to be chosen by the existing Assembly from their own body; therefore, he wrote to Lord John, who admitted the justice of this; and who thereupon directed Howick, who was drafting the instructions to Durham, to alter the draft so as to leave Durham the power of determining upon this particular point. When this part of the instructions was read in the Cabinet, Thomson and Palmerston made a vehement objection to the change, which they imputed entirely to Howick, and insisted on returning to what had been originally accepted by the Cabinet. For the effect this had on Howick, we are

again indebted to a note made by Maria in the Journal:-

"There was a most stormy Cabinet this day and Henry was much annoyed and disgusted. He had almost a quarrel with Mr P. Thomson with whose opinions he never particularly differed... Henry wished himself out of the Cabinet twenty times. In the evening he got a remonstrating letter from Ld Melbourne which annoyed him exceedingly and he wrote a very sharp answer ending by rather throwing his place at his head. I begged he would not send it without sleeping upon it but H was in a tantrum and would not heed me"

In this letter, Howick advised Melbourne, 'that if his (Thomson's) views are shared by a majority of the Cabinet, your best course would be at once to tell me that I am not fit to continue in it.' Melbourne, in his reply, pointed out just how material a change had been made:-

'It takes away the certainty that the representatives (55) of Upper Canada will be attached to the Connection with England.'

The Cabinet on the 21st, was very unsatisfactory. 'Henry said that he had said some very unpleasant things'. Howick's draft instructions were rejected, and Glenelg asked to produce others; these were presented the next day, and adopted by the Cabinet. Howick thought Glenelg's instructions were 'very ill expressed and clumsily done.'

On January 22nd, the Canada Bill was debated in the Commons. Peel gave notice of his intention of moving and

(55) Melbourne to Howick, January 21st, 1838.

dividing upon two amendments; the result of the first of these would be to omit the words in the preamble referring to the proposed committee of advice, and the second would omit the clause giving the Crown power by Order in Council to repeal the Act.

In the Cabinet three days later, most of the members were eager to agree to Peel's amendment to the preamble. Howick was violently opposed to such a course; he stated that he had only agreed to the introduction of the bill on condition that Parliament should sanction the conciliatory as well as the coercive part of the policy. He refused to agree to abandon the preamble:-

'unless upon the distinct understanding that in some other way either by a resolution or an address to the Queen, the House should be called upon to sanction the proposed committee. They tried hard to induce me to abandon this determination but I was obstinate, I fear partly from ill humour in consequence of the manner in which they had thrown over my proposed instructions, and it was consequently determined to stand by the preamble.'

That same evening in the Commons, Ellice urged the adoption of Peel's amendments, and Peel made a speech which was favourably received by the House. Charles Buller, a Radical, and one of the group closely concerned in colonial affairs, favoured the committee of advice but urged Russell to give it

up and assume the approbation of the House to the instructions unless a vote of censure were carried; the obvious fear of the Radicals was that in trying to carry a conciliatory gesture like the committee of advice through the House, which was unfavourable to the idea, the whole Government plan would be lost, with the result that Durham (from whom the Radicals hoped great things) would not be able to proceed as Governor to Canada. Russell undertook to consult his colleagues on the matter.

The Cabinet again considered the matter; Howick announced on his part a change of heart:-

'I said I was very sorry that my having yesterday insisted upon adhering to the preamble of the bill had increased so much the difficulties of our position, but that having very reluctantly agreed in the necessity of the coercive part of the bill I had from the first been most anxious that Parliament should sanction the other portion of our policy also, but that after Ellice's speech and the feeling shewn by the house generally I could not but perceive the impossibility of maintaining the preamble and was ready to acquiesce in whatever they might determine. It was very soon settled upon this that we should give way altogether.'

So Russell abandoned the committee of advice that very night in the Commons.

In the spring of 1838, Durham set sail for Canada, which he reached towards the end of May. With him went Gibbon

Wakefield, a fact which aroused apprehension among Government and non-Government supporters; on his staff was another man who had been formerly guilty of abduction, Turton. Durham created a special Council for Lower Canada, consisting of his three secretaries, the commissioner general, and the provincial secretary, purposely excluding politicians of the local parties. He and his Council issued an Ordinance proclaiming a general amnesty, except for those rebels who had left the country, such as Papineau (who was in the United States), and for eight men of acknowledged treasonable views, whom he had decided to send to Bermuda, to be restrained from re-entering the province by the threat of capital punishment; transporting the eight to Bermuda was the most merciful way of dealing with them, if they had remained in Canada they would have suffered the death penalty, or escaped without any punishment, having been acquitted by a partisan jury. Durham's first measures won him much support in Canada, but unfortunately for him, in this particular Ordinance, he had overstepped his powers. Bermuda was outside his jurisdiction; he had no powers to send prisoners to the penal settlement there.

The obvious thing for the Government to have done was to have defended the whole Ordinance, brought in a bill of indemnity to protect those who had participated in this illegality of sending prisoners to Bermuda, and then proceeded to grant Durham such powers. Durham had a right to expect the whole-hearted

support of the men who had sent him to Canada, and to expect that they would not disown him merely because in the interests of the public peace in the colony he had gone beyond his powers in one particular. But the whole episode was to furnish one more example of the lamentable weakness of the Melbourne Government. The Ordinance was assailed by Brougham, who personally hated Durham, in the Lords, and who brought in a bill against the whole Ordinance.

On August 9th, Glenelg showed Howick Brougham's bill which was due for its second reading that night. Howick recommended opposition to the second reading, defending Durham's policy as lenient, but announcing an intention of bringing in a bill to indemnify the parties who had participated in the detention of the eight persons sent to Bermuda, and to legalize the latter's custody there. Howick suggested this course to Glenelg at the palace, and the latter had then seemed inclined to it; however, later that day, after discussing the subject with the Chancellor, John Russell and George Grey, Glenelg favoured objecting to Brougham's bill, but to admit the illegality of the Bermuda part of the Ordinance, to state that an indemnity for this might hereafter be necessary, but to object to it now as premature, stating that orders would be sent to Bermuda to the Governor not to subject the prisoners there to any coercion. Howick objected to this shuffling course; it would endanger Brougham's bill being carried, as the Duke of Wellington for one

had already implied that he would not be satisfied without an Act of Parliament, ^{to} set right the acknowledged irregularity. In addition, Howick added, such a course would weaken Durham's authority, and give just discontent to the English party in the province. Melbourne, Rice and Glenelg agreed that Howick's course would be better, but would not decide without speaking to Russell and the Chancellor. Russell and George Grey both opposed Howick's suggestion, because, as it seemed to him, they dreaded fresh debates in the House of Commons. Russell went to see Melbourne in the House of Lords, and Howick later heard they had decided against his proposal, and for the other. In the evening Charles Wood informed Howick that the second reading of Brougham's bill had been carried by a majority of eighteen.

Howick was disgusted when he came to read the reports of the debate in the Lords:-

"Anything so weak, so miserable and so wretched as the defence on our side there never was and to add to the difficulty Melbourne by a most injudicious quotation of the D. of Wellington's previous conduct (which he erroneously understood as an intended attack) provoked him into making a very hostile speech and voting against us. There was much in the debate to convince me that had the line I recommended been taken and maintained with spirit this most fatal defeat would have been avoided. I must say however that this was not the impression of many others particularly Ld H (Holland) and the Chancellor." (56)

At the Cabinet the following day it was determined to disallow the Ordinance because of the illegality of the Bermuda part of it, and to endeavour to amend Brougham's bill to make it as unobjectionable as possible. This Howick believed to be the only course now left open to them:-

"but it provokes me to hear it quietly assumed by Glenelg and others that the difficulty and discredit brought upon the Government by this affair is entirely attributable to Durham when in my opinion much more than half of it is to be ascribed to the lamentable inefficiency of Glenelg both in his office and in the House of Lords, and to Melbourne's carelessness and indolence."

Brougham's bill was amended, but not in a manner entirely satisfactory to the Government. Howick believed that though Durham's measures had been irregular in point of form, they were right as political measures and well calculated to maintain the peace of the Province.

When news reached Canada how Durham's employers had thwarted one of his most important measures, the Governor decided to resign, as it was a mark that he did not possess the Government's confidence, and as it had lowered his prestige in the colony. Therefore, he notified the Government of his immediate resignation. Where he did not act so wisely, for it lost him much sympathy in Britain, was when he published a Proclamation of October 9th, protesting bitterly against the

Ministry and the Imperial Parliament; this Proclamation also pointedly stated that there was now no bar to the return to Lower Canada of the transported men or of others who had been forbidden to return by Durham.

Howick, when pondering over his own conduct in the matter, regretted that he had not resigned when his own opinion was overruled. He regarded the course pursued by the Government as 'disgraceful'. His only excuse for remaining in the Government was the very little time that was given him for deliberation:-

"owing to which, I lost before I was aware of it the proper opportunity for withdrawing myself from measures of which I disapproved so much." (57)

Nevertheless, Howick was one of those who strongly disapproved of Durham's conduct in publishing his Proclamation, as he believed this was calculated to excite unrest in the Province.

On November 30th, Lord Durham landed in Britain. He refused to see any members of the Government. When on December 8th, Howick endeavoured to see him at his house in Cleveland Row, he was rebuffed. On December 14th, Louisa, Howick's sister and Durham's wife, wrote to say that she hoped that when her husband was less angry Howick 'would meet him half-way'. On January 14th, 1839, Duncannon informed Howick that Durham would now gladly see him. Maria who intensely disliked Durham, noted:-

'Henry at once said he would go which I must say I think

(57) Journal, October 21st, 1838.

beautiful of him. Why did not Ld Durham after behaving so uncivilly say he should like to call upon Henry if H. would receive him.'

On the 15th, after Howick's meeting with Durham had passed off well, Louisa invited the Howicks to dinner for the next day. However, Maria persuaded her husband not to go:-

'I at once thought we ought to decline and not to be ordered out at 24 hours notice after being proscribed for 6 weeks - and Henry eventually was of the same opinion.'

Melbourne had advised her to go, but later told her she had done right in refusing; when asked why he had previously said the reverse, he replied that:-

'I think so ill of him I am afraid of giving an opinion against him.' (58)

Meanwhile the Canada problem still remained unresolved. Howick outlined his own tentative views in a letter to his father:-

"I think ... that we should make English the only official language and take all possible means by encouraging emigration, etc. to give a complete ascendancy to the English population, but a union of the Provinces I think would be fatal, the strong American and Republican party in the Upper Province who as it is have frequently had the ascendancy in the Assembly there and are still a formidable minority would certainly act with the

French in the Lower Province... in opposing the British Government and we should thus have a majority of the United Assembly against us." (59)

He believed the only course was to continue the act of the preceding year, and by a use of the powers conferred by that, effect as speedy a change in the state of the Province as possible, in order to render it safe to return to representative government. There ought also to be some project for a federal union among all the Provinces. Melbourne's opinion also inclined towards the further suspension of the constitution of Lower Canada; he took it as generally agreed that the French were to be prevented from returning to power in that Province, and that could only be done by continuing to suspend the Constitution; if plans were made for giving to Lower Canada a new constitution, for uniting Upper and Lower Canada or for forming a federation of all the provinces, he thought that due weight would have to be given to the French population according to its numbers. (60) Yet continued suspension of the Lower Canadian constitution was just delaying not solving the problem.

Howick gave an amplification of his views in a letter to Lord Melbourne, dated January 3rd. He was rather pessimistic in outlook, believing that the best policy would be 'voluntarily

(59) Howick to Earl Grey, December 8th, 1838.

(60) 'Lord Melbourne's Papers'. Melbourne to Russell, December 23rd, 1838, p. 444.

to abandon possessions which we can no longer retain with advantage'; he recited the burdens of maintaining regular troops, militia and volunteer forces in these colonies, and the perpetual danger of war with the United States over some frontier dispute; yet he realized that it was impossible to give up the North American colonies. The next best policy was to find a way of diminishing some of the evils in the Canadian body politic. Why was the United States so far ahead of the Canadas in wealth and improvements, when Canada seemed to have similar natural advantages as those enjoyed by her neighbour? Howick answered this by stating that a 'system of jobbing and mismanagement' had been allowed to become prevalent in the British colonies. The only way to break up the old abuses was to appoint 'an active and intelligent Governor'. In Upper Canada his function ought to be to stimulate the people to activity, 'interfering by his authority as little as possible, and allowing them to manage their own affairs their own way even when that way may not be the best'. He also thought it essential to open 'a career for men of ambitious dispositions. Nothing has so much contributed to weaken the foundations of our power as the circumstance that all the aspirants for political influence and importance have had no way of gratifying their wishes but by opposing the Government; the authority of the Mother Country in the Colonies like the royal authority at home in modern times should if possible be kept aloof from those party struggles

which will always prevail in free countries and power and place should reward those who succeed in these struggles without its being considered that the Home Government was concerned in the success or defeat of any'. So was foreshadowed Howick's grant to Canada of responsible government when he was Colonial Secretary in Lord John Russell's first administration.

As for Lower Canada, it was impossible as yet to re-establish constitutional Government because of the hostility of most of the population. Therefore, for some years the only form of government in that Province was the one now existing. A Governor should be appointed well acquainted with the principles of legislation, and who would set about reorganizing the whole state of society, and 'of rendering the colony what it now must be an English one'. The English language should be the only one used in all public acts, laws regulating the tenure of landed property should be amended, communications improved, and improved municipal institutions should prepare the way for the ultimate restoration of representative government.

In February, Durham presented the final version of his Report to the Cabinet. By all authorities it is now acknowledged to be a masterly document. It recommended the legislative union of the two Canadas as the best way of solving the question of the French in Lower Canada; in a union they would be a minority of the population. It also advocated the grant of responsible government to Canada. Howick thought that it was a very able

document, which coincided remarkably with his views in 1833 and 1834. (61) He was not so pleased with the expense accounts submitted by Durham, these ranging from £2,200 spent on wine to such items as "given to a blind man £1", "donations at Church £1.10.". (62)

It was in February, 1839, as has already been mentioned, that Howick, disgusted with proceedings in the Cabinet, thought seriously of asking for the Governorship of Canada, He asked his father's advice about this. He believed that in that country there was 'an opportunity of doing a great deal of good':-

"and from the attention I have given to the subject now for a good many years I think I know more of what is required there than any other person that could be sent."

He was convinced that the Government would pass a satisfactory measure on Canada through Parliament, based largely on Durham's Report. It was doubtful, even if he asked for it, whether Melbourne would give him the Governorship, because of the divergence of their views on colonial policy, but a refusal would be a mark of no confidence, and on such Howick would be justified in resigning. (63)

Earl Grey was strongly opposed to the idea; it would imply to the public that Howick having failed to succeed to the Colonial

(61) Journal, January 31st, 1839.

(62) Journal, May 14th, 1839.

(63) Howick to Earl Grey, February 14th, 1839.

Office - Glenelg had been replaced by Lord Normanby on February 8th - had had his disappointment gilded by being made Governor of Canada. There was also another, even better reason, for refusing to consider the matter any further:-

"I feel too little confidence in the present Ministers to wish to see you placed in a situation of great responsibility, the difficulties of which are much increased by the late events, where if any new embarrassment should arise, you could not depend upon a fair support at home. There is indeed too much probability, even if more confidence be placed, than I can feel in the fair dealing of the Ministers, from what has already appeared as to the feelings and views by which you are respectively influenced, that differences would arise which might lead to your return under circumstances not very different from Lambton's." (64)

Howick, therefore, abandoned the whole idea of asking for the Governorship.

Howick played his part in drafting the Canada Bill which enacted the union of the two Provinces, and which had its third reading on July 18th. In August of that year, however, he resigned, and Russell took over the Colonial Office; Poulett Thomson was sent as Governor to Canada, with instructions to resist any demand for responsible Government, but to be otherwise conciliatory. Howick had nothing further to do with Canadian affairs until 1846.

(64) Earl Grey to Howick, February 16th, 1839.

Once again Howick had failed to carry measures which he strongly desired and deemed necessary, and for which he had put up a hard fight even at the risk of personal unpopularity. It may have been better for his peace of mind if he had resigned over one of the many disputes on Canadian measures which he had found himself in a minority; certainly after every such incident he bitterly regretted not having done so. He was usually a lone dissident voice in the Cabinet, his ideas on the best way to solve the Canadian problem being poles apart from those of his colleagues; yet the latter, to keep Howick in the Cabinet, and preserve an appearance of unity, frequently modified their own measures on Canada, until no one was satisfied with, but all accepted, the compromise which resulted. Yet it is not fair to ignore the very human feelings which stopped Howick from penning a letter of resignation. By family tradition, by his own political philosophy, he was bound to the Whig party; if he separated himself from that party he would be reduced to a lone voice in Parliament, to all intents and purposes a political outcast, with no more power to have an influence in politics; Howick did not wish to divorce himself from politics; a sense of duty told him that he was fulfilling the task for which his talents and class fitted him, and that playing a part in the government of the nation was the most honourable and important way of using what powers God had given him. His resignation over the Slavery Question had been greeted with storms of abuse from fellow Whigs. What if he

resigned over Canada ? Either his resignation would command no support, and would be merely used as a further example of his ineptness, or it might bring in its train the downfall of the Government, in which case there would be a storm of abuse from people of the same political philosophy as himself. When a further Whig Government came to be formed, his party might decide to have nothing further to do with him, to reject him as an unreliable liability, and all hope of a further spell of office (which after all is the most constructive part of a politician's career) would disappear. Of course he did eventually feel bound to resign, but by August 1839 he felt his position in the Cabinet coming to be unendurable, what with disputes with his colleagues and with no change in the constitution of his own office, and he did have strong objections to the changes in public offices which were then made.

Howick had read Burke's speeches on the necessity of a policy of conciliation towards the American colonies, and he applied, as he himself states, Burke's dictums to Canada, Stanley and the Tory regime taking the place of Grenville. Just as Burke had emphasized the population and wealth of the American colonies as sufficient reasons why a war against them or an attempt to thwart their aspirations towards internal self-government, was an act of idiocy, so Howick applied the same arguments to Canada. Both agreed that connections with the colonies could only be maintained by conciliating public opinion

in them, and of governing in accordance with the wishes of colonial opinion. There was one striking difference between the two colonial problems; Burke had not had his theories complicated by the existence of two racial groups, both antipathetic towards each other; there were no French Canadians in the thirteen American colonies. Howick attempted to conciliate the French party in Lower Canada, without losing the loyalty of the strong English minority in that province; this was an impossible task. In Upper Canada, he similarly supported the aspirations of the progressive party in the Assembly, which this time was English. Yet the existence of two colonies, not isolated but neighbours, and to a certain extent interdependent on each other, one of which was predominantly French, with its own laws, tenures, and language, and the other English, was bound to create friction, especially when they both wanted changes in their Government but for different reasons; the French wished to achieve as much control of the executive government of Lower Canada as possible, in order to ensure the survival and predominance ^{of their own customs} over the English commercial minority in the Province, with whom Upper Canada, dependent on commercial agreements with its neighbour, was sympathetic. Led by Papineau the demands of the French party became more exorbitant (seen from the English point of view); Roebuck's plan, given goodwill and a conciliatory spirit, among the leaders of the colonial politicians, may have restored harmony for a while by

its concessions to the French popular party, but it had never a chance of success in Britain, and it did not tackle the fundamental antagonisms between the two races. Durham's Report did just this, Howick by that time being convinced that the English party had to prevail in a united Canada, which since the the battle of the Heights of Abraham had been fated to become an English colony; the French had to be stripped of much of their political power and reduced to a minor role. After that it was the task of wise statesmen to treat them considerately, give them their fair share of power in a united Canada, and trust to time to restore harmony between the two communities, and to reconcile the French to the loss of a representative government dominated by them. This is what happened, thanks to a succession of wise Governor-Generals, and by the time Howick assumed the burdens of the Colonial Office, both French and English were well on their way to becoming one community, a Canadian community.

E. Howick, Glenelg, and Colonial Policy generally.

Before leaving the colonial field a brief review of certain other topics in which Howick was interested is necessary, plus an account of the downfall of Glenelg. To most members of the Cabinet what did the affairs of a colony so remote as New South Wales, or the course of events in New Zealand, matter? Were not these very unimportant when compared to topics nearer

home, such as the feud with the Lords, the Government's Irish legislation, the Government's standing with the Court? Perhaps they were; but they were of vital concern to the inhabitants of such colonies, and to the men in Britain who were especially interested in colonial affairs, of which Howick was one. After all the passing of one Bill by the Government, its action or inaction in one matter, might alter the whole course of the development of some remote colony, either to its benefit or its disadvantage. It was all the more exasperating to Howick then to find that the Colonial Office was saddled with a man of Glenelg's character, a man who was not forceful enough to bring the importance of colonial questions home to inattentive colleagues, was not sufficiently decisive to act alone, and who was above all a procrastinator. An amicable, likeable man, but a very poor Colonial Secretary. He was another Lord Goderich, without a Howick as Under-Secretary to prod him into action, or to make decisions for him. This was at a time when colonial affairs were assuming increasing importance, and was thus all the more unfortunate.

Towards the close of the year 1835 we find Howick complaining about Glenelg's inaction over the state of affairs on the eastern frontier of the Cape of Good Hope. Ever since the migratory Bantu hordes pushing southwards had met the whites moving north in eastern South Africa there had been a frontier problem, marked by Kaffir Wars, punitive expeditions, uneasy

periods of peace - in short the usual state of affairs when an acquisitive, advanced people confronted more primitive ones along an ill-defined frontier. As had been the case in North America it was official Government policy to discourage a policy of expansion by the white colonists; this only brought in its train troublesome native wars and heavy expenses; but of course it was never possible to call a halt to expansion, there was always the lure of fertile, half-empty land to tempt the adventurer onward. Once bands of the colonists crossed the frontiers, the Government found itself following with laws and troops; on the one hand it had to protect its own people, on the other it had to see that the natives were not exploited by the newcomers. The frontier was gradually moving northward, despite all attempts to halt it; one such attempt was made by Lord Somerset in 1819; by this, all the land between the rivers Fish and Keiskamma was declared neutral territory, and military patrols were to ensure that both sides kept it empty. This treaty proved ineffective; the whites began to term the neutral land the Ceded Territory, and meanwhile small bands of Boers and British had pushed well to the north of the official frontier; at the same time, the nearest Bantu clans, the Xosas, were allowed to move back into the neutral land. North of them the military power of the Zulus was ^{crea}venting havoc, and pushing weaker tribes southwards towards the frontiers of the colony. Soon the inevitable happened; an expedition sent by the commander of the

frontier troops to recover stolen cattle from the Xosas, led to the Kaffir War of 1834. Peace was not made by the new Governor, D'Urban, until September, 1835; D'Urban advanced the frontier to the next great river north of the Keiskamma, the Kei, and announced that all the land between the two rivers was henceforth British; he named it Queen Adelaide Province; as for the Ceded Territory, it was to be given out as farms to European colonists. The Kaffir War was more expensive in more ways than one; about a hundred Europeans and Hottentots had been slain, over 450 farms burnt, and thousands of head of livestock taken, retaken and eaten. The cost to the British taxpayer was £154,000, over and above the usual sum of £96,000 for the expenses of the garrison. And the line to be defended as a result of the war was fully as long as previously, and more distant from the colony and the seat of government. (65)

The first mention made by Howick of the war was in his Journal on November 27, 1835. He tells how Stephen had given him a terrible account of the Kaffir War. 'I am not a little alarmed at the bill there will be to pay. I fear Ld Glenelg is not acting with reference to it with the energy and decision which are so much required ...' That very day Howick endeavoured to stimulate the Colonial Secretary into taking active measures, but did not succeed. On December 15th, Glenelg and the Kaffir

(65) 'A History of Southern Africa', E.A. Walker, 1957, pp. 184-8.

War were prominent topics in a letter Howick wrote to his father:-

'I am every day getting more and more alarmed at the remissness and total want of decision which Ld Glenelg shews about every thing.... you would hardly believe it but the last instructions sent to the Governor of the Cape about his war with the Caffres were signed by Ld Aberdeen, yet there is anything but reason to feel satisfied with what is going on, and I fear that a most formidable expense has been incurred which the H. of Commons may very reasonably ask why we have left so long altogether unchecked.'

In this case, however, Glenelg and Howick were agreed as to the general lines of policy to be followed in South Africa. Both Glenelg and Stephen were inclined to the views of the missionaries on the question, and they and Howick believed the Kaffir War had been an unjust one; therefore Queen Adelaide Province had to be abandoned, on grounds of justice, of expense, and of the principle of not extending the colonial frontier northward to embrace fresh lands. The main difficulty so far as Howick was concerned was to encourage Glenelg to act decisively in accordance with his own views. Glenelg prepared a despatch ordering D'Urban to surrender the new territory, and this was discussed in the Cabinet of December 23rd. There Howick learnt that the King had made a vigorous protest against any such surrender; Glenelg thought that it would be wrong to give in to the King, and Spring Rice supported him, though the

others 'had very little opinion one way or the other'. Howick, describing this episode, then adds:-

"yet I have no doubt that if I had not been there they would all have agreed to yield the point, and I was obliged to say in the strongest terms that I would not be a consenting party to the despatch being sent out thus deprived of its most essential part, but that on the contrary I would join Buxton in denouncing such a proceeding. I said that I was willing for the sake of soothing His Majesty to consent to the Governors being allowed some latitude as to the time and mode of surrendering the territory, but that nothing should induce me to agree to the despatch being delayed or to the orders for the surrender of the territory so unjustly acquired being rendered even a degree less peremptory." (66)

Glennelg's despatch was duly sent, and the matter was at an end. Howick, however, had not heard the last of Kaffir Wars; the subject recurred during his spell at the Colonial Office in Russell's Government.

The opening month of the following year saw Howick succeed in one of his cherished schemes. This was the dismissal of Hay from the Colonial Office, Hay the last relic of the Tory regime in the department. Information from George Grey in November 1835, as to the want of harmony between Hay and Stephen led Howick to redouble his efforts to secure the dismissal of the former. Hay was an anomaly in the department; his views were not in sympathy with those of his colleagues, and he was

rarely consulted about anything. On January 8th, Howick discussed with Poulett Thomson and Stephen the best means to rid the Colonial Office of Hay:-

"it is really too bad that he should be kept there and yet allowed to know nothing of what is going on with a pension illegally granted him by the late Treasury on which he would retire the moment his friends came into office."

According to Maria, Glenelg was reluctant to dismiss Hay for fear that when the Tories came in they would dismiss his brother-in-law, Philips, from the Home Office. (67) Pressure was, however, brought to bear, and Hay was dismissed on January 28th, leaving Stephen and George Grey in the most important departmental posts.

1836 found Howick much concerned with New South Wales, the act for the governing of which was due to expire at the end of the year.

The Act under which New South Wales was then governed was the 9 Geo. IV, cap. 83; this had enlarged the nominated Legislative Council, had required the Governor to publish drafts of Bills eight days before their introduction, and had deprived him of the power of passing laws without the assent of a majority of the Council. There was a strong feeling in the colony that this act did not go far enough. As early as 1833, Governor Bourke had written to Stanely^e urging that gradual changes might be made

(67) Journal, January 20th, 1836.

in favour of more liberal institutions. He reported that the colony was so rapidly increasing in wealth and population that soon the demand for a Legislative Assembly would be made. He suggested enlarging by Act of Parliament the Legislative Council, making two thirds of it elective, and giving the right to vote to all persons qualified to serve as jurors. (68)

One factor deterred the Home Government from granting more liberal institutions to the colony. This was the fact that a substantial portion of the colony consisted of ex-convicts; New South Wales in fact could not shake off the slur of being a convict colony. It was known that in the colony there were two parties, the Emigrants and the Emancipists. Bourke hastened to assure the home authorities that the opposing bodies were not confined to those respective classes of persons, and that in the Emancipist party were a large number of free emigrants of liberal principles; he also stated that the Government was in the entire control of the Emigrant party, and that this was in itself an evil. But he failed to overcome the fears of the Home Government.

In 1835 one of Burke's despatches again dealt with the same subject, proposing the creation of an Assembly, two thirds of which would be elected, and which would sit for four years; persons convicted of any transportable crime in any part of the King's dominions would be disqualified from being electors,

'with an exception in favour of Convicts who have served their time, or been pardoned.' Felons and 'persons convicted of any infamous offence in any part of the King's Dominions' could not be members of the Assembly. The electors were, as a further safeguard, to possess freehold property of a yearly value of £10 in the Counties, of £30 in Sydney, or £10 in any other town. (69)

On June 25th, 1836, the subject of New South Wales was brought up in the Cabinet. The unsatisfactory result of the discussion was noted in Howick's Journal; once again he had complaints to make of Glenelg's handling of colonial affairs:-

"Lord Glenelg as usual wishes to postpone deciding upon any subject of difficulty and therefore wants merely to continue the existing act for one year; I objected to this most vehemently but of course to no purpose and in the evening before going to bed at Eastcombe I wrote to Melbourne telling him that the question of the kind of Govt to be given to New S. Wales had been under consideration ever since the middle of the winter, that Ld Glenelg had then been informed of the opinions entertained upon it both by Thomson and myself, and had been constantly urged to bring the subject under discussion and to have a meeting upon it at the Colonial Office to prepare some scheme to be submitted to the Cabinet, but that all our endeavours had been in vain and no attempt had been made to do anything; I said I was

(69) Copy of a Despatch by Bourke. December 26th, 1835. Colonial Papers.

convinced that all consideration of the question would if we remained in office be again put off from week to week and from month to month until next session had been as nearly wasted as this one and that we should then be forced to come to hurried decisions under the immediate pressure of necessity and without any real deliberation, but that I know it was in vain to contend with such resolute indecision and should not therefore again worry myself by a fruitless attempt to do so, that I only wrote to him to protest against this postponement of a difficulty which will only in consequence be increased and that if he chose to allow things to go on in this manner, and thought it creditable to his Government he might, I should interfere no further.'

Needless to say the subject was postponed. On the 13th of December, 1837, Howick was again considering New South Wales. For once he was not on the liberal side; like many of his contemporaries he had grave doubts as to whether it was wise to grant anything like representative institutions to a colony which had been founded as a penal settlement, and which, despite the inflow of free immigrants, had still a substantial convict or ex-convict element amongst its population. Instead of the Assembly suggested by Bourke, Howick proposed to leave all power in the hands of a Governor in Council, from which authority all laws and the project of the annual budget were to emanate. The propositions of the Governor were to be

discussed in Council but the decision was to rest with him. As a concession to popular opinion, and as a means for making the population eventually fit for some form of central representative government, Howick proposed a form of local government; this was a favourite topic with him, it appears in his proposed constitution for New Zealand, drawn up when he was Colonial Secretary. All intended laws were to be submitted to these elected councils, which could then address the Governor in Council praying for their alteration or rejection; in addition members from all the Councils were to meet once a year in Sydney to discuss the proposed Budget; no new taxes or items of expenditure to which this body dissented could be adopted without reference to the Secretary of State. The councils would be elected by householders of three years' residence, who paid all rates and taxes. Persons who had been convicted of felony were not to have the right of voting until after the expiration of their punishment, and without an express restoration of their rights. Howick strongly objected to giving the colonists more control over the Government than he proposed. (70)

Another year passed by, and still the Colonial Secretary was no nearer producing an Act to establish a new system of government in New South Wales. In February, 1838, Charles Buller, one of the Colonial Reformers, submitted his own ideas as to the course which ought to be followed; here again we have an example of how willingly Howick could work with Radical M.P.'s. Buller

(70) Colonial Papers. New South Wales.

put forward some very sound objections to Howick's ingenious scheme. He described the municipal councils proposed by Howick to be an 'anomalous and cumbrous substitute' for a representative body, and to be something for which no one asked; the ideas put forward by Howick were wholly alien to the notions of Englishmen, nor would they satisfy colonial pride and colonial politicians. There was no effective means in Howick's plan for making the will of the Representatives prevail; there was also the danger that like the Paris parlement, the Sydney municipal council would take the lead and give the tone to the other provincial councils.

Buller suggested continuing the present Legislative Council up to August 1839; it could then be replaced by a colonial Assembly; the elections to this Assembly, as a safeguard against too democratic a form of government, would be indirect, the Assembly itself being elected by municipal district courts. Emancipists were not to be excluded from the electorate, provided they had all the qualifications for electors:-

"The emancipists are a fast sinking class and every one agrees that it is not probable that any suffrage would bring one of them into the Legislative Council or 3 or 4 into all the municipal councils together."

The colonial Assembly was to consist of nominated and elected members, with twice as many of the latter. He proposed annual

elections, as the people in the remoter districts would probably have to choose Sydney residents, ~~and~~ of whom they may know very little and over whom they ought therefore to have a very strong control; none of the objections to annual parliaments would apply, as the annual elections would only concern small, select and respectable councils. The colonial assembly was to be allowed to do what it liked except pass laws repugnant to Imperial Statutes specifically binding the Colony or Colonies in general, impose duties on external trade, conduct foreign policy, and interfere with appropriation of waste lands and their revenues. There was to be a permanent Civil List. (71)

In May of that same year Howick produced a memorandum on the proposed new constitution for New South Wales, Referring to the example of Canada he stated how dangerous it would be to give a popular Assembly the control of the public purse; such an Assembly would become the supreme power in New South Wales:-

"The great distance of the Australian Colonies from this country and the consequent impossibility of affording effective support to the local executive authorities would practically contribute very materially to increase the real power which will be wielded by representative bodies. What resources would a Governor of N.S.W. possess against any possible encroachments by a representative body having the power of withholding the pecuniary means of carrying on the Government ?

He cannot in the most pressing emergency receive an answer to a despatch requiring advice or assistance from the authorities at home in less than nine months and during that period he would be absolutely at the mercy of the Assembly which might extort from him his sanction to any law or the adoption of any measure which might be demanded."

Howick stated that he did not believe that New South Wales was yet in a position where she could be granted such powers of self government with advantage.

Nevertheless he was now prepared to accept a colonial assembly, but not with such extensive powers as Buller envisaged. The Legislative Assembly, as Howick envisaged it, was to be elected by Municipal Councils, and part of it nominated by the Governor; it was to sit for four years at a time. The numbers nominated by the Governor were to be small; they were not to be chosen for their votes but for their judgment and advice, and their powers those of explaining and defending the Governor's measures. The Assembly was to have no power of granting money; all revenue was to be appropriated by the Governor, who would annually lay before the Assembly a statement of the receipts and expenditure of the past year and an estimate for the ensuing year. The Assembly was to have the right of objecting to new expenses in the Budget, and such expenses were to be suspended until the decision of the Home Government was known; if the objections to the new taxes were overruled, they would be intro-

duced into the following Budget and classed as old taxes. Bills were to be sent down to the Assembly by the Governor, or leave would be given by the Assembly to an individual member to bring in a bill; the Governor was to have the supreme power of assenting or refusing his assent to bills, reserving them for Her Majesty's pleasure, or returning them to the Assembly with amendments. Bills to which the Governor assented were to be transmitted to the Secretary of State, and if not disallowed within two years of being received were to become law. Though the Governor was to have undivided responsibility, he was to have an Executive Council to assist him in his deliberations. This was the representative body Howick desired, based largely on disillusioning experiences with such organs in the Canadian and West Indian Colonies.

Howick still believed that local government bodies were the most important provision in any Act for the future government of New South Wales. He proposed a series of elected Councils which would have all the powers granted to the English Councils by the Municipal Corporations Act, plus the powers of levying rates for the purpose of building and maintaining schools, hospitals and workhouses, and for making and improving roads and bridges. 'I think', he noted, 'the best training for the exercise of political power by the Colonists will be the management of their own local affairs, I should therefore wish to give as much business and as much importance as possible to the Councils.'

Councillors were to be elected by all holders of £10 tenements who had been resident for one year in the district. As for ex-convicts, they would not exercise the right of voting until five years after they became free by pardon or expiration of sentence, not having in the interval been convicted of any offence. This seemed to Howick to be the best way of dealing with the problem of the Emancipists; they were too large a body to be excluded from the franchise, yet it was impossible to admit them to it indiscriminately. (72)

Finally he dealt with the question of waste lands, a very important question - in a memorandum of that very month he advocated raising the price of such lands to a pound per acre, the five shillings an acre imposed when he was Under-Secretary being merely an initial advance towards a higher figure. The proposed Act of Parliament ought to provide that the revenue raised by the sale of land should be used for two objects only, carrying out emigrants and executing public works of permanent utility such as roads, bridges, schools and the like; this last was Howick's own extension of the Gibbon Wakefield theory which had proposed devoting the entire land fund to bringing out emigrants; in some correspondence with the New Zealand association in the previous year Howick had advocated using the land fund for this dual purpose. (73)

(72) Memo by Howick, May 1st, 1838. Colonial Papers, New South Wales.

(73) Memo by Howick, May 11th, 1838. Colonial Papers, New South Wales.

Howick's sketch of a Constitution for New South Wales was duly sent to Sir Richard Bourke, who sent back some remarks upon it. After stating that it would no longer be just or politic to resist the demand for British institutions in the colony of which he had lately relinquished the Government, he pointed out that there were colonies inferior in every respect to New South Wales which had yet representative institutions of their own. He saw no reason not to trust the proposed Assembly with financial powers, though the Governor could be given authority to appropriate certain revenues for a Civil List. As for the municipal councils, he believed that a system of direct election to the Assembly as in this country would be more readily workable; many countries were so thinly inhabited that they would be unequal to the task of furnishing a municipal council composed of the intelligence and reputation required to deal with such a multitude of subjects as Howick proposed. With regard to the Emancipists he noted:-

'I am not aware that the previous moral character of an Elector has anywhere been regarded as a necessary qualification. Property is usually considered as giving to the Possessor a paramount interest in maintaining the tranquillity and improving the condition of the Country in which it is placed. Nor is there the least well-founded apprehension that the Emancipists as a Body can possess any considerable influence in N.S. Wales; nor if they did could it be injuriously exercised whilst as is

proposed by the scheme transmitted from the Colony, they are declared incapable of being chosen Representatives." (74)

As it happened the Melbourne Government passed no Act for the better government of New South Wales. The old act was continually renewed until in 1842 Lord Stanley passed his Act for the Government of New South Wales and Van Diemen's Land. This contained no concession of a Legislative Assembly; the Legislative Council was increased to thirty-six, a third of which were to be nominated, the rest elected by householders possessing a dwelling of a clear annual value of £20; ex-convicts were allowed to vote.

Once again the Colonial Office had postponed an issue which did not seem of vital pressing importance. The various proposals from Howick on the subject are interesting in that they show his fears about the nature of a large part of the population of New South Wales, and his disillusionment over Legislative Assemblies, as a result of the Canadian troubles and as a result of the long series of disputes with various West Indian legislatures, particularly Jamaica. The constitutional question as it concerned Australia was one of the important subjects with which he had to deal during his period as Colonial Secretary.

New Zealand was another region which was assuming increasing importance in the late 1830's, and again the Melbourne Government postponed taking any measures to decide on its future, until

(74) Memo by Bourke, July 17th, 1838. Colonial Papers, New South Wales.

events forced their hand.

In the early part of the nineteenth century the only white men in New Zealand were missionaries, and small numbers of whalers; sealers, traders and men who fitted into no category. Most of the land was the preserve, in North Island, of the Maori tribes. The British authorities in New South Wales claimed to exercise a vague jurisdiction over the whites in the islands. Yet reports of the fertile, thinly-populated lands in New Zealand had attracted the attention of the Colonial Reformers, the believers in the doctrine of systematic colonization, men imbued with the urge to spread the British race and its institutions as far as possible throughout the world; here was an ideal place for Gibbon Wakefield and his associates to put into practice their theories. Unfortunately for the would-be colonizers, the missionaries - the most important section of the whites in the islands - were opposed to any colonizing ventures; they too were imbued with zeal, the zeal to convert heathen savages into civilized Christians. They feared that colonists would only succeed in corrupting their converts, as had happened elsewhere; to a certain extent this had already happened, the warlike Maori having secured possession of muskets by which they could inflict greater devastation upon one another. For many years the missionary societies had more influence with successive governments than any prospective colonizers; furthermore successive governments had expressed wishes that no further colonies ought to be acquired.

Yet the British authorities slowly and reluctantly moved towards incorporating New Zealand within the Empire. In 1832 Goderich had sent Mr James Busby to the Bay of Islands as Resident, but with few powers; his most ambitious project had been to draw up a federal constitution, for the Maori tribes, an attempt 'to federate man-eaters under parliamentary institutions.'⁽⁷⁵⁾ Meanwhile the French were becoming increasingly interested in the area, whilst "land-sharks" from Sydney were buying up large tracts of land, having come to the conclusion that colonization would not long be delayed. In such conditions even the missionaries were beginning to realize that colonization was becoming inevitable.

In 1837 "The New Zealand Association" was formed; the man behind the scenes was Gibbon Wakefield, whilst its members included such prominent people as the Earl of Durham, Francis Baring, and Sir William Molesworth. The Association attempted to get a bill of constitution through Parliament but failed; the year 1837 saw them attempting to secure Government support for any such bill which they introduced.

One man in the Government who was known to be deeply interested in colonial affairs and the new doctrines of colonization and who was less under the influence of the missionaries than Glenelg, was Howick. Therefore when Melbourne, to whom they first applied, told members of the Association to refer the topic to Howick, the Association had cause for optimism.

(75) 'The Long White Cloud' W.Pember Reeves, 1924. p. 133.

On June 27th, Howick wrote to H.G. Ward, M.P. a member of the Association, enclosing two papers of remarks upon the draft of a bill for authorizing the formation of settlements in New Zealand which had been sent to him. After being careful to state that the remarks only represented his own individual opinions, Howick stated that the first paper contained a statement of the conditions which he thought it would be necessary for the Government to insist upon before they gave no opposition to the bill, whilst the second contained some modifications of their plan, made by Howick because he took 'a great interest' in the matter, and thought that they would tend more to ensure its success.

This second paper contained his extension of the Gibbon Wakefield theory to which reference has already been made. He believed that about a quarter of the receipts from the sale of land should be applied in making roads and bridges, 'and perhaps even in building churches, schools and markets in the district where the sale takes place.' He went on to justify the need for such an extension of the theory of land sales in an undeveloped colony:-

"The principle upon which it is recommended that land in new settlements should only be disposed of by sale, the price being used in carrying out Emigrants is this, that the effect of such a system is to make it the interest of all those who acquire land to improve it, and at the same time to afford them the

means of doing so by providing a due supply of labour. The means of communication and transport from one place to another are no less essential to the profitable occupation of land than such a supply of labour, and although less indispensable there can be no doubt that the erection of churches, schools, etc. in the districts occupied contribute materially to keep the population together in the condition of a civilized community, which it is the great object of the new as distinguished from all former systems of colonization to accomplish. With respect to roads unless we trust to the old, most clumsy, and inefficient method of imposing upon each settler the duty of making them through his own property, they can only be obtained by requiring the occupiers of land to furnish the funds necessary for their formation and when the difficulty of levying rates in a new settlement is taken into consideration there seems little reason to doubt that by far the best mode of making them contribute to this expense would be by an addition to the upset price for which land would otherwise be sold."

On 28th June, Ward replied, stating that Howick's letter had given great satisfaction to the Association, and that they were ready to remodel their bill to meet Howick's suggestions, even as to that one concerning the land fund on which they were dubious. He called for a definitive answer from Howick, either by writing or by allowing a deputation to wait upon him the next day. Francis Garing, Chairman of the Association, wrote

to the same effect. In reply, Howick was obliged to state that the Association seemed to be labouring under the delusion that he could on behalf of the Government give official approval to their bill; this was not true, he had merely expressed his own opinions, and for anything more official they would have to approach Melbourne and Glenelg; he had merely suggested alterations which he personally believed would facilitate the bill's passage through Parliament. He suggested that they should transmit their altered bill to Melbourne or Glenelg, requesting from them the definitive answer that Howick had no authority to give.

There seems to have been a misunderstanding between the Association and Howick as to the latter's role. The Association believed that when Melbourne advised them to bring the subject before Howick, that he had given the latter power to decide on what form a bill would meet Government approval; whilst Howick believed that he had no other authority than to give them his own personal advice on the subject. The result was that two angry letters passed from Ward to Howick, stating how much precious time had been wasted in eliciting a purely personal opinion, and how much further time would be consumed in referring the subject elsewhere. (76)

In fact it was not till 1839, when to satisfy the Government the Association turned itself into the New Zealand Land Company, a joint-stock company, that it won recognition. As for the

colonization of New Zealand it gave the appearance of forcing the Government's hand by sending first an agent, Colonel Wakefield, to buy land, then towards the end of the year sending off the first batch of settlers. In June 1839 the Government ordered Captain Hobson to annex New Zealand to the Crown, he being Lieutenant Governor with the Governor of New South Wales as his superior. In May, 1840, came his Treaty of Waitangi with the Maori, which proclaimed the formal annexation of New Zealand. We shall hear more of New Zealand during Howick's period as Colonial Secretary.

1838 saw an increasingly large amount of colonial business brought to the attention of Government and Parliament. For one, it brought to an end the system of apprenticeship in the West Indies against which Howick had campaigned in 1833-4, two years before its allotted time. Singularly enough the leader of the widespread agitation for the end of the apprenticeship system was Lord Brougham, the main influence in rejecting Howick's scheme for immediate emancipation.

The Government had to do something to silence the clamour for the end of the apprenticeship system, which public opinion believed to be oppressive, so they brought in a bill the purpose of which was to provide for the better protection of the apprentices, but this failed in its effect. It was gradually realized that the Government would have to bow to public opinion. On March 25th, Howick was busy drafting some resolutions which

he hoped would be adopted by the West India body in London. These recommended the abolition of apprenticeship on 1st August, the day on which the apprenticeship of the non-*praedial* apprentices (those not bound up with field labour) was due to end. On the following day Howick's resolutions were proposed by one of his friends at the meeting of the West Indian body, but were rejected. (77)

On March 29th, in the Commons, Sir George Strickland moved for all slaves to receive their freedom on August 1st,; Sir George Grey on behalf of the Government answered, and moved as an amendment the second reading of Glenelg's bill. The following day Howick spoke in the adjourned debate; whilst in his inner self he desired to see the system of apprenticeship, of which he had never approved, ended as speedily as possible, of course as a member of the Government, whose official policy was to end the system in 1840 as agreed upon in 1834, he could not reveal this. He spoke of his own course of action in 1833 and the part that Brougham had played in the final rejection of his scheme; but he considered that as the apprenticeship system had been adopted by Parliament and passed by such large majorities, the country had bound itself to keep faith with the planters. He did, however, express the hope that the colonial legislatures would see the expediency of a more immediate emancipation. Though Howick had tried to be cautious in his speech, he was the next day, in low spirits about it; according to Maria, 'he said (77) Journal, March 25th-26th, 1838.

at the Cabinet they all looked rather black at him.' (78)

On May 22nd, Russell was beaten on Sir E. Wilmot's motion for immediate emancipation by 96 to 93. On May 28th, Sir George Grey had to move another resolution stating that the House of Commons would not act on its former one; this the Government succeeded in carrying.

The West Indian legislatures saw that public opinion in Britain was determined to secure the speedy end of apprenticeship; furthermore Glenelg's new bill might have the effect of rendering apprenticeship more difficult to work. Therefore, one by one, in the course of 1838, they of their own accord abolished the apprenticeship system.

There still remained the same problem which had confronted the Government in 1833, when immediate emancipation was mooted. Would the negroes once they were no longer bound to the plantations leave them, seek to earn a living by cultivating grounds of their own, and thus leave the plantations short of labour ?

On April 9th, Howick wrote to Russell, saying that it was essential to have any change in the condition of apprenticeship followed up by further measures; after stating that he believed the best policy would be to persuade the colonial legislatures to abolish apprenticeship 'at the conclusion of next crop' - news did not reach Britain of the first acts of the colonial legislatures to abolish apprenticeship ~~will~~ towards the end of June - Howick returned to his arguments on land and a land tax

which he had brought forward in 1833-34. He stated that he had learnt that if apprenticeship was allowed to continue till 1840, the Anti-Slavery body would oppose any measures for restricting the facilities for obtaining and occupying land. But:-

" if no such measures are adopted, I am convinced that it is utterly in vain to hope that in colonies where there is a vast extent of fertile and unoccupied land (as Guiana, Trinidad and Jamaica) it will be possible to keep up the existing system of cultivation, you will have the negroes becoming almost universally squatters like the American backwoodsmen, and you will consequently have society in its rudest state."

"Now the more experience we have of Gibbon Wakefield's theory about the occupation of land, the stronger is the evidence of its truth, and I am quite convinced that if proper pains were taken both with the West Indians here and through the Governors with the Members of Assemblies in the Colonies, they might be made to see how strong an interest they have in at once adopting measures founded upon this theory and in putting the earliest possible end to the system of apprenticeship. I still think that the easiest and simplest mode of applying the principle established by Gibbon Wakefield in the peculiar circumstances of the West Indian Colonies, would be that proposed by me in 1833, namely the imposition of a land tax upon provision grounds in lieu of the existing taxes ... the great advantage of adopting this measure now would be that it would afford the means of

making provision for the old and infirm negroes, and of giving compensation to the Masters for losing two years' service of their predial apprentices. The provision for the destitute negroes I need hardly say should in my opinion be the same with that which we propose for the destitute Irish - reception in a well ordered workhouse."

He suggested that a despatch should be sent out with Glenelg's Act when it had received the Royal Assent, pointing out the reasons why apprenticeship ought to end as soon as possible, and indicating measures by which its abolition could prove satisfactory to all parties.

On June 21st, 1838, Sir George Grey told Howick how it seemed that the West Indian Legislatures would abolish the apprenticeship system on August 1st of that very year. On the 22nd, no doubt as a result of this news, Howick wrote a letter to Glenelg on the subject. On the following day, Glenelg replied and asked for Howick's heads of measures to be adopted on the termination of apprenticeship in the Crown Colonies. Howick spent part of that day in the library of the House of Commons rewriting a sketch of measures to accompany the end of apprenticeship; on the 25th he sent this paper to Glenelg. (79)

The proposals in this paper were substantially those which Howick had advocated together with Emancipation in 1833-4. All the duties on exports or imports imposed by colonial laws, 'except any duties on the importation of flour or other provisions,'

were to be repealed; the deficiency of revenue because of their repeal was to be met by a land tax, which was to be assessed at various rates per acre depending upon the way in which the land was used; all land cultivated solely for the purpose of raising exportable produce was to be exempt from the tax; all land on which the land tax was not paid was to revert to the Crown, and in future no further land was to be alienated for a smaller price than two pound an acre. In addition there were provisions made for workhouses, schools, elected local committees, a police force, and special magistrates. The object of repealing the duties on imports was to encourage the negroes to acquire a liking for articles more than mere necessaries, a liking for luxuries being one of the steps towards civilization; such desire would encourage greater work from them, whilst a land tax would compel them to more exertions. The planter would pay the land tax in the first instance, and would be re-imbursed by charging it as a rent against the wages of his labourers. (80)

However, Glenelg chose not to act upon Howick's recommendations. On June 30th, the Colonial Secretary showed Howick his intended despatches dealing with the end of apprenticeship in Jamaica and the Crown Colonies. Howick noted in his Journal that these were:-

"right as far as they go but miserably defective, explaining nothing, suggesting nothing, and in spite of my earnest recommendation no allusion to the land question, the key to the whole.

(80) Draft of Heads of Measures proposed to accompany the abolition of apprenticeship in the Crown Colonies, June 23rd, 1838. Slavery Papers.

I remarked upon this, he said the W. Indies would not hear of the land tax..."

Another topic which concerned certain colonies arose in 1838; this was the question of transportation; in some colonies to which criminals were transported there was growing dissatisfaction at their being made a dumping ground for undesirables from the Mother Country; the only advantage of the system was that convicts supplemented a scanty supply of labour. In Britain too there was a growing body, especially amongst those who held by the new colonizing theories, opposed to the system. In 1837-8 a Committee of the House of Commons under Sir William Molesworth, himself a Colonial Reformer, conducted an enquiry into the whole system. Its Report concluded that transportation was not efficient in deterring people from crime, and that the forms of punishment in the colonies where convicts were sent only succeeded further in corrupting the criminal. It recommended that transportation to New South Wales and the settled districts of Van Diemen's Land should end as soon as possible; that crimes punishable by transportation should in future be punished by confinement with hard labour, either at home or abroad; places of punishment abroad should be as far as possible limited to areas where there were no free settlers; and that the rules by which periods of punishment were abridged for good conduct should be made less vague and arbitrary.

Howick was in agreement with the principles outlined in

the Report, in fact he was one of the main people responsible for drawing it up. Amongst his papers there are some proposed Resolutions dated May 31st, which he had drawn up for the Committee, and though differing in some respects from the final Report, with this he was very satisfied; on July 30th, he noted in the Journal:-

"I was for about two hours in the smoking room with Molesworth going over with him for the last time the draft report of the Transportation committee which is at length in a shape that I upon the whole thing very much approve."

In November of that year Howick wrote a memorandum on the question of transportation. In conformity with the recommendations of the Committee he suggested that steps should be taken for the erection of penitentiaries at home for those guilty of the less heinous crimes, but which nevertheless had the penalty of transportation attached to them. In the meantime people convicted of this category of crimes should be as far as possible sent to the hulks or Bermuda. It was also necessary to decide where those sentenced for more serious crimes were to be detained, so that permanent prison buildings could be erected or enlarged there as well; Norfolk Island, the Ionian Islands, St. Helena, and the Falkland Islands were all possibles. Howick favoured Norfolk Island but before convicts could be sent there, the whole system of discipline and punishment at present pursued there had to be changed; he suggested that this should be done in conformity

with the recommendations of the Report, which was in this respect mainly based upon the recommendations of a certain Captain Maconochie, who had carried out a thorough investigation of prison discipline in force in Britain's convict establishments in Australasia. Howick proposed the appointment of Maconochie as Lieutenant Governor of Norfolk Island. He suggested that at the end of a year no convicts sentenced to fourteen years transportation or more were to be sent to New South Wales or Van Diemen's Land, and those sentenced for shorter periods were to be sent only when it was impossible to dispose of them at home. Instructions, he advised, should be sent to the Governors of New South Wales and Van Diemen's Land ordering them to discontinue the practice of assigning convicts as far as possible, and to introduce the new recommended systems of discipline for road and chain gangs. (81) Again the whole question of transportation was one of the pressing problems, which Howick had to face when he became Colonial Secretary.

1838 saw mounting dissatisfaction with Glenelg's conduct of Colonial affairs. On March 6th. 1838, Sir William Molesworth moved in the Commons that Lord Glenelg did not enjoy the confidence of the House; Palmerston on behalf of the Government opposed the motion. 'In his speech,' wrote Maria, 'he stated one case a little too high as he put Ld Glenelg forward as the individual

(81) Memo. November 23rd, 1838. Colonial Papers.
Transportation.

on whom we most prided ourselves - the brightest jewel of the Cabinet'. (82)

Molesworth's motion was defeated by 316 votes to 287.

The management of colonial affairs was in no ways improved after this vindication of Glenelg's competence. On July 14th, Howick told Maria that:-

' ... Mr Stephen had been to him in a state of despair about the business of the Colonial Office and saying that it was a time of peculiar emergency and that nothing would be done if Lord Glenelg was left to himself during the recess - so he modestly proposed that Henry should stay. H. however said that was quite impossible but he promised to attend as much as possible at a distance to all that should be sent to him.'

On August 11th, Howick found himself riding with Lord John Russell and discussing other members of their Government. After Lord John had remarked upon the singularity of a person with Lord Melbourne's opinions and habits being at the head of a reforming ministry, the conversation turned to Glenelg. Howick suggested that the only way in which colonial affairs could be dealt with efficiently would be for Lord John and Glenelg to switch offices. Russell said that he had thought of this but had been prevented from suggesting it by the fear that he should not like the business of the Colonial Office, and that if Glenelg were at the Home Office the Irish poor law would fail.

In November, 1838, there were reports in the papers of intended changes in the Ministry. Earl Grey in a letter to his son on November 10th, mentioned these reports; he thought that Hobhouse and Glenelg would be the easiest persons to remove. The only way to gain increased strength in the Government would be to give Howick 'a more efficient situation,' which would entail as Earl Grey had already hinted when his son was in the north, him being called to the House of Lords. He hoped that Howick would not suffer anyone to be placed over his head in the Commons; 'you could not give way to anyone without personal discredit.' In the House of Lords Grey could see no one 'whose promotion to a high office could be of any use'. The inference was obvious; Howick ought to be in the Lords as Colonial Secretary.

On November 26th, Howick replied to his father's letter. He stated that he could not be the one to propose changes in the Government, it might appear as though he wished to leave a sinking ship, and 'it might seem that my object was to obtain a better office for myself.' Evidently Howick had more scruples on this point than his father:-

"With respect to measures I shall have no scruple in pressing for those which I think necessary, but unfortunately it is not very easy to point out specific measures upon which one can insist although it may be very obvious that there is neglect and a want of energy which ought to be corrected. This is particularly the case in the colonial office, what is required at

this moment is not so much any one or two measures which can be proposed in the cabinet, but the adoption of a number of minor ones which no individual member of the government can ask for without taking the business of the Secretary of State out of his hands. The mere absence of vigour in the conduct of affairs although the most fatal fault is one which only gives ground for a personal objection which I can not make."

However, a crisis soon arose over colonial policy, on the differences in this respect between Howick and the remainder of his colleagues, and on Glenelg's fitness for his post, which was to see the downfall of the Colonial Secretary. It concerned the situation in the West Indies.

On January 23rd, 1839, Howick wrote to his father complaining that though it was less than a fortnight to the meeting of Parliament 'many of the most important measures which ought to be brought in at once not only not decided upon, but not even discussed in the Cabinet.' This censure particularly applied to colonial measures:-

"As to Canada Glenelg has some excuse in not having yet received Lambton's report, but there is no such excuse and the most pressing necessity for decided action with regard to the West Indies, and though they are less important the Australian bill which has been now regularly promised for 3 sessions, and another respecting New Zealand cannot be neglected without great disgrace... I am in the greatest doubt about what I ought to do.

On the one hand I have the strongest objection to continuing a party to such a system of neglect of most important interests, and on the other it is difficult when I have only inaction to complain of, and inaction which would be less serious if it did not exist with reference to so many different subjects, for me to take any steps for relieving myself without it appearing as if I had a wish to turn out Glenelg for the purpose of obtaining his situation."

Within a few days a specific difference did arise between Howick and Glenelg, and the former seized upon this as a chance of resigning and being no longer a party to a colonial policy of which he disapproved. The Assembly in Jamaica had long been a troublesome body to successive Governors of the island and to the Home Government, particularly at the time when the emancipation of the slaves had taken place; composed mainly of people connected with the plantations, not owners but overseers, attorneys and the like, and who were, therefore, deeply interested in a cheap supply of labour, it had long endeavoured to obstruct any measures which seemed to favour the negroes, and to make them less amenable to the plantation officers. Reluctantly the Assembly had realized in 1838 that the apprenticeship system was doomed, and that rather than be forced to abolish it, the members of that body had decided to proceed to its abolition of their own accord. Once the question of the status of the negro had been settled, the Assembly believed that the Imperial Government

would leave it free to manage its own internal affairs. The Imperial Government, as a result of previous experiences of the Assembly, distrusted that body, and in its concern to do everything possible to see that no further cruelties befell the negro, and to see him advance upon the path toward a more civilized and higher standard of life, was not prepared to leave matters regulating his welfare to the colonial representative body. In October, 1838, there arrived in Jamaica a copy of a British Act, 1 and 2 Vic^t, cap 67, for the Better Government of Prisons in the West Indies, which empowered the Privy Council or the Governor in Council to make regulations for the government of all prisons and workhouses in each colony. The Jamaican Assembly believed that this was an interference in their internal affairs, a sphere in which they believed themselves alone to have any powers; they protested violently against the Act, stated it was a violation of their 'inherent rights' as British subjects, and refused to do any further business. The Governor, Sir Lionel Smith, first prorogued, then dissolved the Assembly. The general election which followed resulted in the return of most of the old members. On December 4th, Smith prorogued the new House to February 5th. Writing to his superiors at the Colonial Office, he observed:-

"If the Assembly is let alone as it hopes, the bulk of the people will again be placed in slavery."

He suggested that Jamaica should be governed by an Order in

Council in future. A despatch in reply assured him that a measure would soon be introduced in Parliament 'with a view to applying an effectual remedy for the state of affairs which has unfortunately arisen in Jamaica.' (83)

On January 28th, 1839, the British Government held its first Cabinet to consider the latest West Indian problem. According to Howick the need for strong Parliamentary interference in the affairs of all the Chartered colonies - note, not only Jamaica - in the West Indies had been evident from the very beginning of the session. Yet Glenelg had given no guidance as to what he believed ought to be done until January 19th; on that date he had forwarded to each member of the Cabinet a printed memorandum, which Howick states was:-

'very ably written indeed (of course not by himself) stating what the present situation of these colonies is and what are the various laws and reforms which are required in them in consequence of the recent changes in the state of society.' (84)

This memorandum had not recommended a particular mode of proceeding, it had merely pointed out the necessity of legislating for Jamaica and the remainder of the Chartered Colonies. Howick believed that if the Government wished to ensure 'the real success of the great experiment of emancipation' vigorous action

(83) 'Emancipation and Apprenticeship in the British West Indies.' W.L. Burn. p. 361.

(84) Howick to Earl Grey, January 31st, 1839.

would have to be taken against obstructive assemblies in all the chartered colonies.

On January 28th, however, Glenelg brought to the attention of his colleagues his proposed bill, which intended simply to suspend the sittings of the Assembly of Jamaica, and to give its powers for a period of about five years into the hands of the Governor and Legislative Council. As for the Windward and Leeward Islands he proposed to do nothing, in direct contradiction to the reasoning of the paper sent from his own office, 'holding out some vague expectation that he would propose some measure later in the session.' In his Journal Howick described the bill as 'a most paltry measure'; in the Cabinet his expressions may have been equally forthright, for he protested strongly against Glenelg's proposal, and suggested a far wider measure. He was supported only by Thomson. A very unsatisfactory discussion ensued, which showed, according to Howick, that the Cabinet 'had very little knowledge indeed of the subject, and that the timid and unsatisfactory course recommended by Glenelg would certainly have their general support.' A final decision for the moment was deferred.

After the Cabinet was over, Howick accompanied Lord John Russell back to the Home Office. He attempted to show to Russell the unfairness of deferring subjects of such importance, which might have been considered six months earlier, to within a few days of the meeting of Parliament; at such a time a decision

could no longer be deferred, so the matter was decided without due consideration. Howick then turned to the question of the gulf of opinion on colonial questions between himself and the rest of the Cabinet. He thought that with respect to colonial problems there was a general disposition 'to follow the most timid and hesitating policy'. He concluded by informing Russell that the best course would be for him to attend the next Cabinet on West Indian affairs and to resign if this proved unsatisfactory.

That same evening Howick passed in writing a paper on the course which ought to be adopted on this question. The next morning he sent this paper to Lord Holland, who had been absent from the Cabinet, and on January 30th, he sent the paper to Russell. The remainder of January 29th, he passed in writing 'a long paper for Glenelg about New Zealand.'

The second Cabinet on West Indian affairs took place on January 30th. Howick's paper was read at this meeting, but it was decided to adopt Glenelg's proposal. Again after the Cabinet was over he accompanied Russell back to the Home Office. Howick stated that his previous opinions had been confirmed. Russell said that the decision of the Cabinet was not final, and that from the discussion there had emerged a fact of which previously he had not been aware; this was the necessity of compelling the smaller islands to pay for the establishment of improved courts of justice. Russell believed that there was no immediate necessity for interfering with the legislatures of

the smaller islands, and that there were many advantages in dealing in the first place only with Jamaica; these advantages would not exist if on one particular point the Government was compelled to over-rule the other Assemblies; in such a case a complete measure applying to all the Chartered colonies might well be more expedient. Howick believed that he had already mentioned Russell's 'new' fact in the discussion, and that it had had great weight in deciding his own opinion. Howick observed that he did not consider himself of any real use in the Government, and that he thought that his retirement would not in any way weaken it. Russell did not agree with this; the previous year Howick had dissented from other members of the Cabinet over the Irish Church (Howick having been loath to abandon the appropriation clause, though no measure would have passed the Lords in which this formed a part), and now his resignation might encourage the discontented to say that the Government was not sufficiently liberal. He asked Howick to defer sending in his resignation for at least a day; to this Howick agreed.

On that same day, the 30th, Howick wrote a letter of resignation to Melbourne, but in deference to Russell's request did not send it. This mentioned the differences between himself and the rest of his colleagues on colonial affairs. Only Howick's wish to avoid separating himself from these colleagues had kept him in the Cabinet, and had induced him to go further than perhaps was wise in sacrificing his opinions, but:-

'I feel in duty bound to decline any further to be a party to measures of which I cannot conscientiously approve. I regard the present state of the W. Indian Colonies as most critical, and so affording an opportunity upon the right use of which it depends whether these Colonies are speedily to rise into a state of civilization and prosperity, or are to sink into yet deeper barbarism.'

He pointed out that the memorandum of the 19th from Glenelg's office had shown the necessity of the interposition of the Imperial legislative^{ur}, and had revealed the glaring defects of the system of government and the laws in all the Chartered Colonies. Yet Glenelg had decided to defer any complete measure to apply to all the Chartered Colonies, and that even with regard to Jamaica, judging from the tone of the Cabinet discussion, a less vigorous measure than Howick wished to see adopted, would be passed.

'I am so deeply convinced that the final success of the great experiment of the abolition of Slavery, for the accomplishment of which this Country has sacrificed so much, will thus be greatly endangered, that.... I feel obliged to declare that I cannot take upon myself any part of the responsibility for the course which it has been determined to adopt.'

He requested Melbourne to lay his resignation before the Queen.

On January 31st, Howick sent this letter to Russell, 'that you may take the most convenient time for forwarding it unless

you see some strong reason for further delay.' It crossed a letter from Russell.

In this letter, Russell stated that he had told Lord Melbourne on Tuesday, 29th, that if Howick persisted in resigning, then he would probably follow his example. He had now decided that though he would continue in office until after the debate on the Address, he would resign shortly afterwards. Not that Russell agreed with Howick on this West Indian question, nor that he thought that the Ministry would be shattered by the loss of Howick's services, but Russell agreed in the 'dissatisfied feeling as to the conduct of Colonial Affairs which has led to your resolution'. When Russell dwelt on the prospect of new measures with respect to Canada and the West Indies, and on Howick's retirement, he believed:-

'I cannot but be sensible that I must either take my line now or acquiesce in a future management of our Colonies which gives me no confidence and imposes a responsibility I do not choose to incur.'

He left Howick at liberty to act as his judgment and honour directed.

Here was a quandry for Howick. One thing he had always dreaded, that his resignation would in some way bring about the break up of the Government; had not earlier considerations of the possibility of resignation been put aside for fear of this very outcome? And now here was Russell, the leader of the

party in the Commons, and the ablest man in the Cabinet, stating that he intended to follow Howick's example and resign; and how could the Government continue to exist without Russell? Therefore, on receipt of Russell's letter, Howick immediately replied, hinting that on certain conditions he might withdraw his resignation in order to keep Russell in the Government:-

"I feel however that your leaving the Home Office would be such a misfortune to this country and more especially to Ireland, that if I could see that my remaining in the Government would enable you more effectively to advocate such a system of Colonial Policy as would be satisfactory to us both and if you could hold out any reasonable prospect that such a system would be adopted, I should be ready to sacrifice any personal feeling of my own to prevent your resignation."

It seems a mistaken move on Howick's part. He differed as widely from Russell on colonial questions as from any other member of the Cabinet. The only thing that Russell and he were agreed upon was that Glenelg was not a fit person to handle the affairs of the colonies. Therefore, the only way that Russell could act in a manner agreeable to Howick would be by removing Glenelg, certainly not taking Howick's side in the West Indian dispute. His fear of Russell's resignation and its possible effects had led Howick to shift the emphasis from a question of principle (the West Indian measure) to a question of personality (the removal of Glenelg), which was the very thing that he had wanted to avoid.

On Friday, February 1st, Howick had an interview with Lord Melbourne; no further advance was made than the last letter from Howick to Russell had announced the former was willing to make:-

"if they could propose any satisfactory arrangement I was willing to continue in office to prevent J.R.'s resignation, but if no arrangement could be suggested I must adhere to my resolution."

Lord Melbourne believed that it was impossible at that moment to make a change in the Colonial Office; he was also anxious that the same thing should not happen that had led to the famous duel between Castlereagh and Canning, that is agreeing on a time when Glenelg could be turned out of office, and meanwhile allowing him to continue in it, being unaware of this decision. Lord Glenelg's voluntary retirement was also out of the question; when Melbourne had offered him in the autumn a less strenuous and ^{less} important place, Glenelg had replied that he had no thoughts of leaving public life, particularly at a time of such danger. Melbourne stated that Glenelg was quite unconscious of his own inadequacy. In the afternoon of that same day, Howick had a talk with Thomson, who believed that the only solution of the problem would be for Russell to insist on a change in the Colonial Office once the debates on the Address were over.

On the Saturday at Lord Melbourne's desire, Palmerston came to see Howick, and suggested that Russell should have a superintending authority over Glenelg. Howick rejected this as

impossible, as did Russell when it was proposed to him. Later that day Howick had another conversation with Russell, who stated that he had more than once told Melbourne that a change was necessary at the Colonial Office, but that Melbourne had always replied that the present was peculiarly inconvenient. Russell said that he would now propose that the Marquis of Normanby should replace Glenelg when the debates on the Address were over; otherwise Russell was determined to resign. Howick stated that he feared that Normanby's appointment would not relieve him altogether from the difficulty in which he was placed. This difficulty had not arisen solely because of Glenelg's mismanagement, but because of a real difference on colonial policy between himself and the rest of the Cabinet. His own resignation would also remove the difficulty over the Army and the question as to whether the recommendations of the Commission's Report were to be carried out or not. Russell left the problem of Howick's resignation to be settled between Howick and Melbourne.

From seeing Russell Howick returned to the War Office. There he penned a note to Lord Melbourne saying he had better act upon Howick's letter, which Russell had now forwarded to him. Before he could send this he received a message from Sir George Grey, who wished to see him. Grey wanted to speak about a proposed alteration in the part of the Queen's Speech referring to the West Indies; Howick told him that he was no longer concerned, and that he had resigned. Grey urged him not to persevere in his intention of resigning, and said that if Howick did so,

he too would resign.

Thus far, Howick had in his conversation with Russell attempted to swing the question back to the point that there were differences of principle between himself and his colleagues on colonial affairs. He was obviously still inclined towards resignation as a solution of this problem, and also a solution of the unsatisfactory nature of his tenure of the War Office. Now he was threatened by a further member of the Government, one of their best debaters in the Commons, resigning if he himself persevered in his intention. At this point, Melbourne sent him a note saying that he had seen Palmerston and Russell after their interviews with Howick, and begging the latter to call on him. At this meeting Melbourne asked him whether it would satisfy him if Glenelg were to resign as soon as the session had fairly begun, say when the debates upon the Address were over. Everyone was satisfied that it would be inconvenient for Glenelg to resign immediately before the meeting of Parliament. Lord Lansdowne it appeared also desired a change at the Colonial Office. Howick said that he could have no objection to this course being taken, but stipulated that the odium of the personal objection, was not to be thrown upon himself:-

"I had never made such an objection but had put my resignation upon the distinct ground of my differing from the majority of the Cabinet, it was J.R. who had stated the personal objection the justice of which I had not been able to deny."

Melbourne said that Glenelg would at once lay the blame for his

dismissal upon Howick, and then what could the Prime Minister answer? Howick replied that Melbourne should clearly tell Glenelg that the personal objection had been made by Russell; he further added that the best course for all parties would be the acceptance of his resignation, as he feared that a new Colonial Secretary would make no difference to the real gulf which existed between himself and the Cabinet over colonial policy. Melbourne announced his anxiety to keep the Government together, and his fear that if any of the Cabinet resigned, the Government would collapse. Howick left to Melbourne the decision as to whether to accept or reject his own resignation. Melbourne promised to show him his letter to Glenelg before it was sent.

On Sunday, as Howick and Maria came out of Church, there was an unusual incident:-

'we were stopped by a Messenger with a box from Lord John which must have looked very odd to the people who were crowding out of Church and H. said he feared it would make a story in the papers.'

Enclosed in the box was a letter from Melbourne to Russell, plus the draft of Melbourne's letter to Glenelg. Howick could find no objection to the latter and so returned it to Russell.

And what of the West Indian question which had precipitated this crisis? The only further reference to this is at the conclusion of a letter Howick wrote to his father on February 4th:-

'It is just past time so I must conclude without stating

why this concession has induced me to waive my difference upon the particular point respecting the West Indies. I can only mention that the postponement of a measure becomes a very different thing when Glenelg is not to be the judge when it should be brought forward again and that G. Grey has stated to me reasons for some delay which Glenelg in the discussions never explained.'

Unfortunately Howick never elaborated upon this point.

Yet Howick in this letter to his father never mentioned his real feelings on that particular day. It was left to Maria to note these in the Journal:-

"Henry is become very unhappy at having acceded to the arrangement which has been made to piece up the Government and get Ld Normanby into the Col. Office. He thinks it never having occurred to any one, that he should have the Col. Seals is a proof that they disapprove of his Col. Policy and if so he differs from theirs and that he ought therefore to have gone out of office. He made that impossible by that second letter to Ld John in which he stated his extreme anxiety not to break up the Govt on account of Ireland and that he would accede to any arrangement that satisfied Ld John and himself about Col policy for the great object of retaining Ld John in office."

On February 5th, Howick received a letter from his father approving what had been done, but saying that Howick ought to have succeeded Glenelg, not Normanby. On the same day Glenelg

received the fateful letter. Reports said that he was greatly affected by it; he complained most of the time that had been chosen, in that it made it appear as though he was running away from the discussion on his own measures. He refused to go to the Colonial Office or append his signature to anything, and resigned at once. Maria observed that reports said that Glenelg was very embarrassed in his circumstances, and that the loss of his salary would be keenly felt. (84)

On February 18th, Howick wrote to Earl Grey the following:-

'I most deeply regret having been induced to withdraw my resignation. I see now that I acted very foolishly, but having been under the necessity of deciding what I was to do with very little time for consideration I shrank from the responsibility which was I think very unfairly thrown upon me of breaking up the Govt. at such a moment.'

The fate of the eventual Government measure on the West Indies is well known. It suspended the constitution of Jamaica, and was thus objectionable to many of the Government's Radical supporters. On May 6th, there was a division of 294 to 289 on the Jamaica bill, ten Radicals voting with the Tories, and several others staying away, whilst five Tories voted with the Government. The Cabinet decided to resign. Maria commented:-

'I think Henry was decidedly glad to be out of office I... principally lamented the great improbability I felt there was of any Govt being ever formed with which Henry would ever be able to act.'

(84) For this crisis see Howick's letter to Earl Grey Jan 31st.
(P.T.O. back of page)

Howick's gladness was short-lived; there occurred the Bedchamber Question and the return of the Whigs to power. They could not go on with the Jamaica Bill, and a less efficient measure had to take its place. This fact made Howick more than ever regret being forced back into office.

The years 1835 to 1839 saw Howick increasingly out of sympathy with the colonial policy of the Cabinet. They were for him very frustrating years; when his colleagues did not adopt colonial measures of which he disapproved, they postponed taking any decisions at all. This was mainly because the Colonial Secretary was very remiss in bringing colonial questions to their attention, and because he failed to convince himself or his colleagues of their importance. This frustration must have been increased by the knowledge that instead of an incompetent in the Colonial Office, Howick ought, because of his specialist knowledge and grasp of colonial problems, to be there himself. These reasons sufficiently explain his ever growing desire to escape from office, and to resign on some difference of principle. This anxiety to resign was only tempered by the fear that he might bring down the Government in the process, that he would incur the odium of all good Whigs, and that his colleagues when they returned to power would no longer have any desire to act with him.

F. Howick's Resignation, August 1839.

We have seen that by the summer of 1839 Howick was very

dissatisfied with his personal position in the Government; his scheme for administrative reform in Army affairs was thwarted, he had seen his suggestions on aspects of colonial policy overruled, and he had quarrelled at one time or another with many of his Cabinet colleagues. At the same time he could not but realize that the position of the Government was deplorably weak, this being reflected in its measures. For a combination of all these reasons, as we have seen he had come to the point of resignation several times, but each time had withdrawn from taking such a step, chiefly from the desire not to be held responsible for the downfall of the Government, and from the fear that such action would bring about an unpleasant rift between himself and his present colleagues.

If Howick felt uncomfortable at his position, no doubt his colleagues felt so likewise. They were becoming tired of seeing Howick in a minority over many questions, tired of his protestations and of his perseverance or obstinacy. While he was a very industrious and energetic person, all alike recognizing his good qualities, there is no doubt that he was a very difficult person to work with, particularly if he did not get his own way. Perhaps this explains the rather startling offer that Russell made to him in a letter written on August 4th.

In this Russell made Howick an offer of the Post Office. Howick was to leave the War Office, and replace the Earl of Lichfield as Postmaster-General, and moving^e to the Lords, where

his 'energy and attention to measures' would 'be most beneficial'. The excuse for this was that there was difficulty in carrying into operation the Penny Post plan. The Postmaster-General did not even have a seat in the Cabinet, so it seems obvious that this was an attempt to remove Howick to a position where he could no longer be a difficult colleague who was perpetually irritating his associates; under the guise of a change of offices, this was really demotion and a 'kick upstairs' to the Lords. Russell seems to have realized that the offer could not be satisfactorily explained unless upon such grounds, for at the end of his letter, he adds:-

'I am quite aware that in ordinary circumstances it is not a proposition to be made, but the popularity of our present plan entirely depends on a good arrangement at the G.P.O.'

The arrival of the letter at Howick's home the following day coincided with a report in the 'Morning Chronicle', saying that changes in the Administration were imminent, and citing as examples the fact that Spring Rice was to be made a peer and to be succeeded at the Exchequer by Francis Baring, Thomson to be sent as Governor to Canada, and Charles Wood, Howick's brother-in-law, to hold some higher office (at present he was Secretary to the Admiralty). Howick at first did not think that Russell's offer was objectionable; he even had thoughts of accepting it, chiefly through his disgust with the House of Commons and the amount of labour it imposed on the members of the Government who

sat in that House. After further consideration he changed his mind. He replied to Russell stating that his first impression of the offer was unfavourable, but that he was not disposed for the present to reject it outright; only a 'very strong reason' would make him willing to leave the Commons. Referring to the news in the 'Morning Chronicle', Howick wished to know what other arrangements were being made, before he determined whether to be a member of what would in fact be a new administration. Finally as a further reason for delay he pleaded the need of consulting his father. (85)

On that same day Howick wrote to inform Earl Grey of the offer, enclosing with his letter a copy of Russell's. He coupled this offer with the news in the 'Morning Chronicle' of extensive changes in the Administration, not all of which he believed would be improvements. Mentioning the fact that Francis Baring would probably succeed Spring Rice as Chancellor of the Exchequer, Howick remarked:-

'Of Francis Baring's character I have the highest opinion but I do not rate his abilities equally high, and upon the important subject of banking and the currency which must very soon come under consideration I know him to be very superficially informed. I am convinced that he is utterly unable to deal with the difficulties which the present condition of the Bank of England will most likely produce.'

(85) Journal, August 5th, 1839. Howick to ^{Russell}~~Earl Grey~~.
August 5th.

Another objection that Howick had to make to the reported arrangement was that it left an incompetent Normanby in charge of the Colonial Office. Finally he wished to have his father's advice on Russell's offer though he did not believe that the reconstructed Ministry would be one in which he could play a part:-

I cannot but be sensible that the manner in which I have been treated does not give either J. Russell or Melbourne any very great claims upon me and that I may therefore well hesitate, whether upon a reconstruction of the Govt I ought to continue in it if as I am aware would be the case I am to have little or no political influence.'

On the morning of Friday, August 9th, not yet having heard from his father, but convinced that Earl Grey would be against him accepting the Post Office, Howick had an interview with Russell for the purpose of rejecting his offer. He stated that he was not prepared to leave the Commons merely for the purpose of becoming Postmaster-General; as there were a variety of changes to be made in Ministry, Howick demanded that some of these changes should concern the War Office; in particular he wished to see the management of the Commissariat business transferred from the Treasury to the War Office, and the reference of disputed questions between the two departments to Palmerston. Russell did not appear to think these demands unreasonable, but requested them to be stated in writing. (86)

(86) Journal, August 9th. Howick to Earl Grey, August 12th.

On August 10th, Howick received the expected letter from his father. As he had anticipated Earl Grey was opposed to his acceptance; indeed when we consider previous advice given to Howick, and Earl Grey's opinion of the Ministry, it can come as no surprise that he took the line that he did:-

'I have long observed the appearance of a great want of confidence in you, in the leading Ministers, but more especially in John Russell; it appeared to me also that there was a great disposition to keep you back, and to raise others above you. But I confess it never entered my head that such a proposition as the present could have been made to you, and in such a manner. The manner indeed appears to me to be as offensive as the proposal itself....God forgive me if I am too suspicious, but my firm persuasion is that it was a scheme to get you out of the way, and to have you fixed in an office of inferior importance, when other more important situations are to be disposed of.'

He believed that the proposition ought never to have been made to Howick:-

"this is a proposal which you cannot accept without lowering yourself in publick estimation. I confess I should not be sorry to see you removed from the fatigue of the House of Commons, where you cannot in any case remain many years, by an appointment connected with the more important branches of the administration which would give you a lead in the House of Lords and add to your political character and influence. But the Post Office ! An

office of inferior rank and consequence, involving none of the higher duties of Govt. and for the purpose of carrying into effect a new arrangement, merely of details, which any Clerk, with official habits and knowledge, would manage as well or better; to succeed Lord Lichfield, and to go into the House of Lords hand in hand with Mr Spring Rice ! The contemplation of such a measure (may I not call it degradation ?) is revolting to me ... (87)

Fortified by his father's opinions, to which he always paid great respect, Howick wrote to Russell that same day definitely refusing the Post Office, and also outlining his demands for the changes necessary to be made in the War Office. There is no need to go into the details of the latter as they have already been mentioned in another connection.

Earl Grey was always concerned for his son's welfare and his standing in public estimation. He always believed that Howick merited by his abilities to be in a more important position in the Government than he actually found himself; the fact that he was not in such a position was to be ascribed to the malice of secret enemies, especially Lord John Russell. Perhaps Earl Grey's continual prodding of his son to advance himself in office can be excused on the grounds of parental partiality and family feeling. This time, however, the offer of the Post Office had seriously alarmed Earl Grey. No doubt reflecting that Howick if left to his own devices would not be sufficiently vigorous

(87) Earl Grey to Howick, August 8th, 1839.

in defence of his own interests, Earl Grey, in a letter of August 12th, gave him some further advice:-

'it seems to me necessary that you should have a distinct explanation with Melbourne, stating to him your expectation that no material changes should be made without your being previously apprized of them, and your claim in the event of such changes, to be placed in a more important office than that which you now hold. At all events that nobody should be put over your head; in which case what you owe to your own character will make it necessary for you to retire from the Government.'

Howick was reluctant to follow this advice, and in fact decided not to do so. He believed that ministerial changes could only be settled between two or three of the principal members of the Government, more especially the Prime Minister and the Leader of the House of Commons. If every member of the Cabinet were to be consulted then no new arrangements would ever get made. Therefore Howick did not feel that he had a claim to be a party to preliminary consultations on the ^{re}~~pro~~posed arrangements, more especially as his own position would be discussed. Howick believed that he ought to wait and see what the new arrangements were; if he found that people had then been placed over his head he would have a right not to acquiesce in the arrangements. So far he only definitely knew of Baring's and Thomson's appointments. Though he had expressed his doubts about Baring's ability, he was aware that Melbourne could not be expected to give the Chancellor-

ship of the Exchequer to a person having no experience in financial and commercial business. He himself certainly did not feel qualified enough to accept it, even if it were offered to him. Moreover if he did interfere and a Government could not be formed, as seemed likely, then the whole blame for the failure would be thrust upon him. (88)

Earl Grey wrote a further letter on the 16th, reinforcing his arguments as expressed in the previous one. He regretted that Howick had made his demands regarding a change in the War Office:-

'You are right, I have no doubt, as to the particular change in the duties of the War Office which you demand. But it is after all a mere matter of detail, to which they may or may not object. If they acquiesce, it seems almost impossible for you to make any other demand. This being the only one on which you insist, and if this is granted, your willingness to remain in the War Office, whatever other changes may be made seems to be implied. If they refuse, the point is so small that the Publick would not understand it as a just cause for resignation; if they did not, which is more probable, think it an unjustifiable attempt to relieve yourself from the control of the Treasury, in a matter of expense, which has hitherto been, and which many may think ought to continue under their superintendence.'

Earl Grey would prefer to see him Chancellor of the Exchequer,

(88) Howick to Earl Grey; August 14th, 1839.

were it not that Spring Rice had left the financial affairs of the country in an embarrassed state; this office, the Presidency of the Board of Trade, the Admiralty, the Board of Control, were all places to which Howick had superior pretensions, and all were more important than the War Office.

On August 20th, when Howick returned to town from his villa of Datchet, he found a note from Melbourne expressing a desire to see him. After the Cabinet was over, Howick stayed behind talking to Melbourne. The Prime Minister then gave him an outline of the intended changes. He then learnt for the first time of Lord John's intention of taking the Colonial Office himself. Lord Minto, First Lord of the Admiralty, had refused an offer of the Home Office, and it was now proposed that Normanby and Russell should simply change offices. Howick objected to Normanby going to the Home Office; for one thing he believed him too much disposed to conciliate the Radicals. He also pointed out the impossibility of Russell performing both the duties of Colonial Secretary and the Leader of the House of Commons; the burden was too great. Melbourne also informed him that the Under-Secretaryship of the Colonial Office was also causing difficulties; Labouchere had declined to remain in that post if Normanby remained as Colonial Secretary, whilst the latter was attempting to secure that post for H.G. Ward, MP. for St. Albans, a Radical and a man who had exchanged harsh letters with Howick over the New Zealand business. Howick objected

strongly to Ward's appointment; he thought it would give too much of a Radical character to the Government; moreover Howick had a poor opinion of Ward's judgment and ability. Other proposed appointments were Clarendon at the Board of Trade and Francis Baring at the Exchequer. Melbourne also contemplated bringing George Grey and Labouchere into the Cabinet, holding their present offices of Judge Advocate and Master of the Mint. Howick objected to a further increase in the number of the Cabinet; he pointed out that its present size was too large, and that it was inconvenient having so many Cabinet members in the Commons:-

"this renders it impossible for the leader there to consult as much as he ought to do his colleagues upon the various matters which arise and which require immediate decisions, because there is not time to communicate with so many and he cannot do so with one or two and not with others, the consequence is that those who have not the highest offices find that although they are in the cabinet they have practically little more knowledge of what is going on and little more influence upon affairs than if they did not belong to the Govt at all... I had felt very much that I had practically much less influence upon public affairs in my present position than I might hope to exercise as an independent member of the House of Commons supporting the Govt.' The discussion then switched to Howick's position at the War Office. There did not seem any insurmountable difficulty in acceding to the requests on changes in his office which Howick

had sent to Russell. Howick expressed a wish to be removed from the War Office altogether, 'if it is to be considered one merely occupied with details.' (89)

Later that day Howick decided that, to avoid the risk of any misunderstandings if he resigned, he would write a letter to Melbourne, stating clearly to him the objections he had made to the proposed changes, in their conversation. He also wished to advert to several other points, which he had not brought up in discussion because he had wanted more time to reflect upon them. One was the unfairness of putting Labouchere so distinctly above Charles Wood, 'when undoubtedly Wood has done far more than the other for the party both since we have been in Govt and before.'

He was strongly opposed to giving the Government a more Radical complexion than it at present possessed. If any new person was appointed, Howick hoped that:-

'there shall be a clear understanding that he is to vote with the Government upon all those questions which have not already been made open ones, upon which we are at issue with the radicals: I think that we, who have a decided objection to further concessions to this party, have a right to expect that a person shall not be brought into office who, upon the first occasion of a motion for the extension of the suffrage or for short Parliaments, will say that if required to support the course taken by the Gvt he must resign thus rendering it difficult if not impossible for other persons in office who upon these

(89) Howick to Earl Grey, August 20th, 1839.

particular points may entertain similar opinions to take a different course. We must not be thus driven into making more open questions, or taking upon ourselves the responsibility of breaking up the Government at perhaps an inconvenient moment.'

He again repeated his objections to increasing the Cabinet. George Grey certainly had first claim for a Cabinet office, but that of Judge Advocate was not usually regarded as such, and Howick believed that it was a very unwise policy to extend the number of offices that could be held with the Cabinet; as for Labouchere's office of Master of the Mint, as it was so ^{newly} a sinecure, the practice of former years should be followed, and it should be united with the Presidency or Vice-Presidency of the Board of Trade. He then began to show that Wood had more claims to the Cabinet than Labouchere:-

'Since this Govt has been established I believe you are aware that he has had the real conduct of one of its most important departments, and one of those which has been best administered; you cannot have forgotten how great an effect was produced upon publick opinion by the exposition he was able to make this year of the manner in which our naval affairs have been managed; it was one of the few satisfactory evenings we have had during the session. Now with every disposition to give his due share of credit to Labouchere I must say that he has no such services to show.... This is I know an invidious topic, and I have had many scruples to overcome in thus putting forward the comparative claims of so near a connection and so intimate a

friend of my own as Wood....'

He also again alluded to the unsatisfactory nature of his own position at the War Office.

This letter was shown to Charles Wood the following morning, and upon meeting with his approval, was sent very late that same day to Melbourne.

The list of Howick's objections to the proposed arrangements - both on public and personal grounds - was formidable, but if he hoped that Melbourne would meet them, he was disappointed at the Cabinet on August 24th, when Melbourne announced the changes. Baring was to be Chancellor of the Exchequer, Labouchere was to succeed Thomson at the Board of Trade, and George Grey was to be in the Cabinet holding his present office. Howick thereupon stated his objections to these changes. He said that if he were in Wood's place he would probably resign; he said that he would not advise Wood to resign but that if he chose to do so, Howick would follow him out. Some attempted to throw doubt upon Howick's statement that Wood would feel ill-used, but Howick referred Melbourne to his letter and announced that it had Wood's full approval. Thomson and others stated that the exclusion of the President of the Board of Trade from the Cabinet would give great dissatisfaction, whilst it was Russell's opinion that as Labouchere had held a Privy Councillor's office he stood before Wood for the Cabinet. Coming away from the Cabinet Howick asked Melbourne one question, as to whether all that he had objected to was to be done; Melbourne replied in the

affirmative. Howick then went straight to the Admiralty. There he, Charles Wood and his wife, and Frederick, Howick's younger brother who acted as his secretary, held a discussion as to what was to be done. It was decided that Howick was to write and ask for further explanations. Later Wood rejoined him at the War Office to announce that Melbourne had sent for him. Wood had determined what to say; he would state that he had been very ill-used, but would go to the place they had earmarked for him at the Treasury, but that he would not feel bound by any consideration whatsoever to continue in the Government for one hour longer than he found convenient. If Howick decided to resign, then he would do the same. Wood returned and reported the result of the interview; Melbourne had been disposed to make light of the whole business. Thereupon Howick sent his second letter to Melbourne. (90)

Passing over his objections to Normanby, the 'slight' to Wood, the increase of the Cabinet to fifteen, Howick now wished to know:-

'who are the new persons to be introduced into the Government to fill up the subordinate offices which will be vacated, and upon what terms they are to come in, as the future character of the Administration will greatly depend upon the manner in which this settled.'

He also demanded more extensive changes in his own office, since so many who had hitherto been in subordinate offices were to be promoted. (91)

On Sunday August 25th, one of Melbourne's messengers arrived with an answer to Howick's letter of the day before. This Howick found very unsatisfactory. It gave some information as to how Melbourne intended to dispose of the subordinate offices - Ward had been suggested as one of the Secretaries of the India Board - and that new persons would come into office on exactly the same terms as the present office holders, it not being intended to increase the number of open questions. Melbourne further remarked upon the impossibility of adjusting promotions 'upon principles of exact equality and justice', that personal questions were ones upon which every one must distrust his own judgment, which was 'warped by personal predilection and partiality', and that Howick ought to give up his contention about Wood. He offered no hope of extensive changes being made in Howick's office for the present. (92) Howick - who was staying at Datchet Lawn - merely replied that he would be in town the following day, and asked for clarification as to whether Ward and others were to vote against any motions for the extension of the suffrage and for shortening the duration of Parliaments.

(91) Howick to Melbourne, August 24th, 1839.

(92) Melbourne to Howick, August 25th, 1839, No. 1.

The next morning Howick and Frederick Grey arrived in town and went to Wood's house, where they found two letters from Melbourne, one written before the one Howick had received the previous day. This letter contained little of interest. The second letter was in answer to Howick's last. It stated that Ward and other such persons would vote against those type of motions which Howick had mentioned. Melbourne, however, announced that he was unwilling to pledge himself decisively against any extension of the suffrage. (93) To Howick's dismay there was no letter from his father to point out to him the best course to pursue.

After reading the letters, Howick, Frederick Grey, and Wood had a discussion as to the next steps to be taken. Both the Greys were in favour of immediate resignation. Before any decision was taken they all decided to consult Francis Baring at the Treasury:-

'I told him upon what grounds I proposed to resign not concealing from him that the personal grounds of complaint which I conceived myself to have had influenced in some degree my views as to the public grounds on which I proposed to resign. He said he thought I was wrong and we discussed the subject at some length but I remained of the same opinion.'

The trio then went to the War Office and had a further lengthy discussion. Howick, backed by his brother, decided to pen a letter of decided resignation, to which Charles Wood rather reluctantly

(93) Melbourne to Howick, August 25th, 1839, No. 2.

acquiesced. (94)

Therefore, a letter was sent to Melbourne saying that the new arrangements - apart from the fact that the War Office and its reorganization had not yet been settled - were such that Howick felt it impossible to continue as a member of the Government. He stated that he had hoped that if any changes were made:-

'they would be of such a character as to remove what I believe to be the original cause of its weakness, namely the growing distrust and want of confidence in it as felt by that numerous and respectable class of persons who, while they desire to see a generally liberal system of policy pursued, entertain a strong apprehension of entering upon a new and indefinite course of further constitutional changes. I have observed for the last two years a gradual and constant falling off in this class of our supporters, and in my opinion it was therefore necessary, in any changes which were attempted, to endeavour to give to the Govt a character more calculated to regain their confidence.'

Such a course had not been followed. Lord Normanby, a man of Radical sympathies, had been removed from an office which from the nature of its business and its patronage enabled its possessor to exercise little influence on domestic policy, to one of precisely the opposite character; perhaps the Home Office was the most important place in the Government next to the office of Prime Minister. This together with the appointment of Ward

to a subordinate office would create the impression that encouragement was to be given by the Government to the advocates of change. Howick was anxious to stress that these were not questions of personality:-

'my objection to your arrangements is founded upon my belief that by encreasing the alienation of men of moderate views they will render still weaker than before a Government already destitute of the strength necessary to conduct the affairs of the country with advantage, and that they will encourage a desire for further changes in our institutions which it may hereafter be almost equally dangerous to yield to or to resist.'

The letter concluded by saying that Howick's resignation might not have occurred, if he had been treated with greater confidence by Melbourne and Russell, and if they had sooner communicated to him the proposed arrangements. It seems as though Earl Grey's insinuations were beginning to have an effect. (95)

Howick dined that evening at Wood's house. At eleven he returned home to find a letter awaiting him from Melbourne. The facts upon which Howick based his resignation seemed to Melbourne to be not sufficient to justify it. For one, Melbourne yet had made no offer to Ward; he thought, however, that it was not very prudent to exclude such people of Radical opinions. He hoped that Howick would not press his resignation, until Melbourne had had

time to communicate with Lord Lansdowne as to who was to replace Howick at the War Office. Melbourne concluded by hoping that Howick would reconsider his determination. Howick, after consultation with Wood and Frederick Grey, wrote another letter in reply, which the latter took up to Melbourne's house in South Street. This letter asked Melbourne to act on Howick's former one. Howick was not prepared to remain in the Government as the single and known obstacle to measures which would be acceptable to a large group of the Government's supporters. He repeated the charge of a want of confidence having been shown him both by Melbourne and Russell.

On August 27th, Howick wrote a letter to his father informing him of the latest developments. There is no doubt that Earl Grey's influence with his son had played an important part in shaping Howick's decision. He had for months been repeating in his letters the fact that Howick ought for a variety of reasons to hold a more important office in the Government, that he was excluded from such not because he had not sufficient talent or experience, but because various members of the Government, particularly Melbourne and Russell, were jealous of him. In addition Howick had imbibed his father's prejudices with regard to the Radicals and the doctrine of the finality of the Reform Bill of 1832. Now the results of his father's influence were shown in this letter:-

'The more I consider what has passed the more convinced

I am that there has been a settled determination for a considerable time back to exclude me from all real power and influence in the Govt, this has been shewn ... most strongly by the total want of confidence in me in the arrangement of the recent changes; Some of the most important of these were actually known to Lambton at Cowes long before I heard of them. You had detected and warned me of the existence of this design long ago ... Ld Melbourne I only blame for the indifference and carelessness which he has shewn ... but the case is different as regards Ld John. I am persuaded now that the real explanation of what has happened is to be found in his determination to engross the whole power of the Govt to himself and to get about him as much as he could those who would as he believed be content to act as mere machines at his bidding, hence his determination to bring George Grey and Labouchere into the cabinet... and hence also his determination to keep back Wood. I believe that neither he nor myself have been forgiven for our successful resistance to the determination which was come to of supporting Fleetwood's motion for giving the right of voting to 10 £ occupiers in countries.'

On the morning of that same day, Howick had a letter from Melbourne saying that he was giving up arguing the matter, and that he accepted the resignation. In the afternoon he received a further letter from Melbourne, enclosing one from Russell which Howick thought 'very foolish and very offensive'. Russell's

letter spoke of the charge of a want of confidence shown towards Howick:-

'Lord Grey thought fit to place Graham in the Cabinet and leave me out of it, and I submitted at once to his decision.' He refuted all of Howick's charges. Howick wrote back and answered Russell's criticisms, but by then the issue was settled and nothing was left but the recriminations. (96)

The following day for a moment it seemed as though Melbourne was going to make a last effort to keep Howick in office. He sent a letter saying that he was taking no further steps in the matter until he heard again from Russell. On August 29th, Howick received a note from Russell saying that he regretted his resignation. Howick was anxiously waiting for the formal notification of his resignation, and finally went round to see Melbourne, who told him that there was no longer any reason for not making known what had happened. During the conversation, it appeared that another Radical, Charles Buller, had been offered a post, and that Melbourne could see no harm in him, though Howick thought otherwise having had experience of him in the Commons (this of the man Howick was later to desire to have as his Under-Secretary !) The interview passed off favourably:-

'I wish it was possible to give the slightest idea of the frank, good humoured, manner singularly joined with a shrewd

(96) Melbourne to Howick, Aug. 27th. Journal, Aug. 27th. Russell to Howick, Aug. 27th, and Howick to Russell, Aug. 27th.

and amusing but cynical tone of observation which makes it impossible to have a conversation with him even upon a disagreeable subject without coming away pleased with him.'

Earlier in that day George Grey had informed Howick of his determination not to accept a Cabinet post which would probably bring him into collision with Howick in the Commons; fortunately an objection had been made to the Judge Advocate being in the Cabinet, and Melbourne was no longer enthusiastic about the idea. In the afternoon, Howick took leave of the War Office and its staff, not without a great deal of regret, and that evening he left the capital by train. In a letter dated August 29th, Melbourne informed Howick that Her Majesty had accepted his resignation. (97)

If Howick's mind was a turmoil of relief and regret, Earl Grey was definitely pleased. Howick received a letter from his father approving of the course he had taken, and full of personal abuse of John Russell such as the following:-

'I knew he was much discontented at not being placed in the Cabinet, on the first formation of my Government; and it now appears that this old grievance is still rankling in his breast. The only cause for self-reproach which I now feel is for having put him too forward, and particularly for having given him the management of the Reform Bill. He is a little animal engrossed by an inordinate ambition, of the most narrow and selfish kind. (98)

(97) Journal, August 29th.

(98) Earl Grey to Howick, August 29th.

The newspapers much to Howick's relief were not too abusive over his resignation. 'They only say,' wrote Maria, 'that his good qualities are overshadowed by others which make his secession from the cabinet no source of weakness. The Times abuses him with its usual bitterness and says he is the most ill conditioned man in the House of Commons.' (99) Perhaps before leaving the subject of the various opinions that were expressed about Howick's resignation, it will be only fair to give Russell's, which was given to Ellice in a letter which the latter showed Howick. This said that Howick had taken the offer of the Post Office in so different a manner to what Melbourne and Russell had intended that they had got tired of trying to please him; Russell praised Howick's abilities, industry and integrity but said that unfortunately he had a way of pressing his opinions which was hard to bear - this as we have seen was a true characteristic of Howick's. Russell also referred to the complaint he had when Earl Grey put him below Graham when he formed his Government. (100)

So Howick was finally out of office. A mixture of personal and public reasons had led to this, with perhaps the former predominating. An unsatisfactory position at the War Office, an isolated position in the Cabinet, many of his most important schemes thwarted, quarrels and a feeling that his talents were

(99) Journal, September 1st, 1839.

(100) Journal, October 18th, 1839.

being ignored, his father's insinuations, all these combined to produce a feeling of deep dissatisfaction, which seized upon the changes being made as a good and public reason for resignation. Not that this intends to convey that Howick was insincere when he objected to Normanby at the Home Office or to giving the Government a more Radical flavour, but these objections may have been overruled or at any rate some solution may have been found for them, if so many personal motives had not urged Howick to persevere in resigning.

These years of office had not entirely been years of quarrels and frustration, or else Howick would have felt no regrets at leaving the War Office. For long periods he had worked amicably with his colleagues, helping to take decisions on subjects outside the range of his special interests. Nor had his tenure of the War Office been an entirely frustrated one; he had translated various constructive reforms affecting the soldier into practice, and had been a very conscientious administrator. He had found the tasks of a politician in office a satisfying vocation, a vocation to which he gave long hours of thought and toil (in contrast to some of his colleagues), to the exclusion of much else, notably the round of society. In fact it was one of Maria's laments that her husband was far less popular than he ought to be, because in his concern for work he neglected social functions such as dinners and balls. Yet with the virtues he possessed and with his talents, there went certain failings of personality which exasperated his colleagues and caused much of

the ill will between them. He did not work well as a member of a team, he fought and protested too much when his opinions were overruled by the majority; a high sense of honour and duty led him to perseverance in a scheme long after it had ceased to be practical. He could never decide when or when not a measure was expedient, but always placed his support or opposition on the higher and often impracticable ground of principle. Compromise is often a political necessity; Howick had too little of it in his make-up, and with him compromise was the very last resort after he could fight for a measure no longer and after he had annoyed all his colleagues. He tended to be too critical of the abilities and the actions of his colleagues, and he allowed his opinions to be revealed to them. Not that he did not have at times much to exasperate him, but eventually he had to realize that a Secretary at War could not always lead a Cabinet in the direction he himself desired. It is evident of the high opinions held of his abilities, sincerity and industry by his colleagues that they so often attempted to meet his views, even when he was an isolated individual in the various discussions. But there is a limit to the patience of all men, and that limit was reached when Howick was offered the Post Office.

Chapter 4.Out of Office.A. The Irish Registration Bill.

By political affiliation and private friendship, Howick was a Whig. A resignation from a Whig Government and a near estrangement from Lord John Russell could not alter that fact. Therefore, it was to Howick's interest to minimise as far as possible the breach between himself and his former colleagues. Unfortunately Earl Grey did not take the same view of the matter. Since his resignation in 1834, Earl Grey had become increasingly conservative in his views - though he had never really been liberal. Virtues he could see in Peel and Stanley, but none in Melbourne's Ministry. Having been an influence in his son's decision to resign, he believed that Howick should not any longer have any dealings with those who remained in office, least of all Lord John Russell, but should take an 'independent' line in the House of Commons, perhaps with a view to him joining the Tories. At all events he so wanted Howick to regulate his conduct in a manner which was bound to lead him to attacking the Government. He wished, for example, that Howick would write a letter to his constituents justifying his resignation and explaining the grounds for it; Howick refused, having no wish to prolong discussions on the pros and cons of his action, which would cause further arguments between himself and his former colleagues.⁽¹⁾ In February 1840, Earl Grey wrote to say how pleased he had been

(1) Howick to Earl Grey, September 2nd, 1839.

by seeing a letter from Tory headquarters greatly praising Howick's conduct in resigning.⁽²⁾ In March, 1842 he expressed his opinions more definitely, now that the Conservatives were in power:-

'I am very sorry that you attended the meeting at Melbourne's as I must be for anything that marks your connection with a Party against the Govt, which ... seems to me entitled to the support of every man, on all occasions where he can conscientiously give it, who does not prefer personal feelings, or particular interests to the general good. With these feelings my proxy, after I have taken my seat, will probably be given to them.'⁽³⁾

Howick had, however, no intention of being influenced by his father in this respect. As early as September 12th, 1839, he was once more discussing public affairs with Russell, whatever his private opinion of the latter might have been, and throughout the short period of office which remained to the Melbourne Administration sporadic contact was maintained between them; Russell valued Howick's specialist knowledge on colonial affairs, and sometimes consulted him upon them, for example, in October 1839, he sent him a paper on transportation to read, whilst in 1840 Howick was suggesting the best form a bill dealing

(2) Earl Grey to Howick, February 4th, 1840.

(3) Earl Grey to Howick, March 19th, 1842.

with the Canadian Clergy Reserves ought to take. Howick had some unpleasant moments trying to justify this reserved amity with Russell to his father. ⁽⁴⁾ Earl Grey believed that Russell had destroyed his own Ministry - by his statement as to the appropriation of the revenues of the Irish Church, which had led to Stanley's resignation, Earl Grey having a high regard for Stanley - and now he had ousted his son from office, after retaining him for many years in an office of inferior dignity to that to which he was entitled. Fortunately Charles Wood, Howick's firmest friend, and who had resigned with him, saw in what direction Earl Grey's prejudices were attempting to lead them, and used his influence with his brother-in-law to counteract them. Charles Wood, who had a successful political career in front of him, was just the sort of friend that Howick needed. He was the man who always received Howick's drafts of letters to others with whom he was in dispute, who corrected the intemperances and tactlessness of these, and made them suitable for sending to the particular persons involved. He was essentially conciliatory by nature, and knew how to 'get on' with people far more than did Howick. He also realized where his brother-in-law's faults lay, and carefully attempted to point them out to him and correct them. All in all Charles Wood was the more conventional type of politician, at ease with almost every situation; he lacked Howick's forceful temperament, was more

(4) Wood to Howick, October 12th, 1839.

'diplomatic', and would never have resigned in 1839 but from loyalty to his brother-in-law and friend. Lady Howick too had no desire to see her husband isolated from the main people in their social circle; the fact that she was nearly always at odds with the rest of her husband's family was a further reason for using her influence in a direct opposite sense to their's.

Nevertheless there were moments in the years which remained to the Melbourne Government when it seemed as though the rift between Howick and his late colleagues was fated to widen. For one Howick continued to take an active interest in military matters, and continued to press for action to be taken on such subjects as the state of barracks in the West Indies, the administrative machine of the Army, and the rupee question as it affected British troops serving in India. On March 10th, 1840, Howick, who the day before had made inquiries as to the steps taken to remedy the evils pertaining to the last subject - noted in his Journal:-

'Maria's sleep last night was interfered with by her working herself up into a state of great annoyance about my attacking the Govt on the rupee question.'

It was on the subject, however, of the registration of voters in Ireland that the differences between Howick and the Whig Government were most noticeable.

The system for the registration of voters introduced into the English Reform Act by Sir James Graham in 1832 had many

drawbacks, despite the fact that with certain modifications in detail it was to continue throughout the nineteenth century. (5) In Ireland there were even more obstacles to the smooth working of the system, and the whole question of registration was apt to be associated with that of the Irish franchise.

In the session of 1840 Stanley brought in a bill to simplify somewhat the registration system as then existed in Ireland, and to bring it more into line with English practice. The right of voting was to depend upon annual registration, certificates giving the right of voting were to be abolished, appeals could be made from assistant barristers to assize judges, and there would be appeals against admission to the electoral list, voters being awarded costs against frivolous objectors. Stanley refused to consider the question of the franchise along with registration.

The Government opposed Stanley's Bill. Howick believed that the Bill was a measure of improvement upon the old system of registration, and that as the Government did not propose to deal with the question itself it was not justified in such opposition. Howick and Wood supported the Registration Bill, and in a crucial debate of May 20th, it was their support which alone enabled the measure to survive, 301 being for the Bill, 298 against it, only two other Whigs being in the majority. (6) All this of course met with Earl Grey's entire approval.

The case was different with regard to Howick's constituents. Here was a man who had just resigned from a Whig Government, who

(5) 'The system of Registration and the Development of Party Organization, 1832-70'. J. Alum Thomas 'History' vol XXXV

(6) Journal, ,ay 20th, 1840.

pp. 81-93.

had done so ostensibly because of its Radical complexion - and many of Howick's supporters approved of that - and now he was to be found voting with the Tories against his own party. There were grumblers against Howick among the Northumbrian Whigs. (7)

Charles Wood also found himself censured, even by his own father, and this made him regret the isolation in which he and Howick stood; the latter remarked about Wood's attitude:-

'I was sorry to find that he is not prepared to take the bold and independent course which my father recommends and which I am most strongly persuaded would be the right one. At first I know it would not be either an easy or a popular course to follow but I am persuaded that ultimately there is enough good sense and honesty in the country to appreciate such a system of public conduct, and if I am mistaken in this opinion I can only say I had rather retire from public life than consent to give up my own judgment and become the mere follower of a party for nothing but the miserable interests of a party.'

In short, at this period Howick was under the influence of Earl Grey, and accepted the latter's ideas of pursuing an independent course of action in the Commons, having regard to no party but the public good; if that attitude of mind persisted, Howick would condemn himself to political ineffectiveness.

The Government's delaying tactics caused Stanley to abandon his bill on July 7th, but he announced his intention of re-introducing it the following year. Early in February, 1841,

(7) Earl Grey to Howick, July 15th, 1840.

Stanley duly asked for leave to bring in his bill. This time the Government decided to forestall him by bringing forward a bill of their own, and giving it precedence. The Whig bill did not only deal with the registration question - Howick believed the machinery of registration was far worse in their bill than in Stanley's - but with that of the franchise; perhaps this was a move on the Government's part to ensure support from the Radicals, more particularly from O'Connell and his Irish followers. On the other hand, Stanley seems now to have considered the question as a pawn in the game of politics, and something which could be used to sow disunity amongst the Whigs.

The Irish Reform Act had made the right of voting in Ireland much the same as in England, with two significant exceptions. The forty shilling freeholders disfranchised in 1829 had never been given back the right to vote, and in addition to rights arising from occupancy the Irish Reform Act had given the right of voting to tenants having a leasehold of not less than fourteen years, and who had a 'beneficial interest' of ten pounds in their holdings. A great number of the Irish voters fell into this last category. There was, however, a dispute between the two parties as to what was the meaning of the term 'beneficial interest'. The Whigs contended that the term meant whatever profit a tenant might make from his holding, including in this the produce of his own labour and that of his family. The Conservatives argued that even in Ireland with its low wages

a man's labour for a year was worth more than ten pounds, consequently the smallest amount of land would convey the right to vote. According to their interpretation of the phrase 'beneficial interest' it meant that a holder of land ought to be able to let that land to a solvent tenant at the yearly rent of ten pounds. According to Howick 'such a definition as that of the solvent tenant test would narrow and restrict the franchise of that country in a manner wholly inconsistent with the principles of popular liberty.'⁽⁸⁾ Howick believed that the objections of both parties had much of validity in them, and that the fault lay in the fact that the term 'beneficial interest' had never been accurately defined, and was now 'not susceptible of any construction not involving an extreme absurdity.'⁽⁹⁾ If one interpretation were accepted the franchise would be narrowed down to too small a number of people, whilst if the other were accepted too many people would be in possession of the right. As it was the Act of Parliament was invariably construed according to the politics of those who interpreted it, whether these were barristers of Committees of the House of Commons. The problem was also complicated by the fact that the Irish landowners were unwilling to grant leases, with the result that the constituencies of Irish counties were becoming dangerously small.

When Morpeth, the Irish Secretary, therefore suggested

(8) Hansard Third Series, Vol. LVI. p. 299.

(9) Howick to Earl Grey, February 5th, 1841.

making the county franchise depend not upon 'beneficial interest' but upon the rate at which the land was valued for assessment under the Poor Law, Howick announced his intention of supporting the Government's measure. The Government fixed the amount of valuation giving the right to vote at five pounds; at the time when this was announced Howick was undecided, because of lack of information, whether this was a suitable amount to choose, but he agreed with the Government's aim of conferring the right to vote upon roughly the same number of people as had held it in previous years. Stanley opposed what he termed 'the new reform bill'. Howick was thanked by Lord John and other Whigs for his speech.

Would the Government in its weak condition be able to carry such a measure? Howick was still anxious to assume the role of the enlightened independent statesman solely concerned for the public good, so on February 5th, he wrote a long letter to Stanley in an attempt to secure his agreement to the principle upon which Morpeth's proposed franchise was founded. Stanley merely acknowledged this by informing Howick through Lady Stanley and Maria that he could not agree with his views.

February 22nd saw the opening of the debate on Morpeth's Bill. The first two days of the debate went against the Government, and when a division was taken on February 25th, the Government only had a majority of five, including Howick and Wood. It seemed to be obvious that the Government would be obliged to

give up its bill. On February 24th, Howick discussed with Lord Fitzwilliam and Wood the possibility of devising such a county franchise as would be acceptable to both parties; conversations with many Whigs during the debate had shown him that there was much disapproval of Morpeth's proposed franchise.⁽¹⁰⁾ He himself now believed that the measure of a five pound rating was one 'of an extremely democratic character,' which did not have the least chance of passing. He blamed the Government greatly for this, and for the actual form of the bill, which he declared to be 'one of the most clumsy and ill-digested measures ever submitted to Parliament by any Government'. He believed that if the Government took its bill into Committee in its present shape there would be a majority of two to one against it.⁽¹¹⁾

On the morning of February 27th, Howick busied himself in writing a sketch of a plan for the regulation of the Irish franchise which he hoped would be acceptable to both parties. Wood rather discouraged him from attempting to persuade both sides to compromise; evidently Wood had no desires for the virtues of being an independent watching over the public good, which might further estrange him from the Whigs and prevent his return to office.⁽¹²⁾ Nevertheless, Howick persevered in his intention, the fact that the Committee on Morpeth's Bill was postponed until

(10) Journal, February 24th, 1841.

(11) Journal, February 25th, 1841, and Howick to Earl Grey
February 24th.

(12) Journal, February 27th.

April 23rd, giving him the necessary time to consult others and to decide upon a measure.

On March 2nd, he had a conversation with J. Young, M.P. for Cavan, an Irish supporter of the Conservatives. Young objected to the rating proposed by Morpeth because it was too low and because it did not have any regard to the profit of the tenant, the old idea of the beneficial interest. A difference of ten pounds between rent and rating was too high, but a smaller sum would ensure that the tenant would have an 'interest' which would qualify him to vote. Here is to be seen the concern so common among politicians of that age to enfranchise only those who had a 'stake' in the country, in this case the wealthier tenantry. Young did not believe that such a qualification would cause a great diminution in the number of electors; what was more likely to bring this about was the reluctance of Irish landlords to grant leases. He, therefore, suggested that in addition to this franchise, a further one should be created, this one to be by virtue of simple occupancy, that is that tenants held their land 'at will' not be lease (i.e. as the £50 tenants at will enfranchised by the ^{Chandos} ~~Churches~~ Clause in the Reform Bill of 1832 had the right to vote). He had already communicated these sentiments to Peel, who seemed favourably inclined to them. Young's views coincided with Howick's, and the latter authorized him to communicate his views to Peel also. (13)

On March 4th, Howick had a conversation with Stanley, who

(13) Journal March 2nd. Howick to Earl Grey, March 3rd.

for once seemed to the former to be reasonable. Stanley insisted on retaining the beneficial interest in some form, but agreed that this could be provided for by an excess of rating over rent, and he did not oppose an occupation franchise under certain restrictions. Having heard Tory opinion, Howick proceeded to pay a visit to Lord Duncannon, and was surprised to find the latter unaware of the dislike of the £5 clause among some of the Whigs. Howick urged upon him the changes which would probably enable the bill to pass. (14) Wood, his doubts as to the practicability of being intermediaries between the two parties seemingly overruled, was in communication with Russell, suggesting that only proposals such as those Howick recommended could save the bill; he also had a satisfactory conversation with Morpeth on the subject. (15)

By March 16th, Wood had communicated Howick's ideas to two Conservatives, Eliot and William Lascelles, who had proved receptive and had promised to find out from Peel whether he was disposed to settle the question along these lines. At least one Whig, Benjamin Hawes, was in favour of Howick's proposal. Encouraged by the support the proposals had received from such widely different quarters, Howick and Wood decided upon drafting an amendment to the Government's bill, which would ensure a beneficial interest in the form both Howick and Young had desired that it would take, and which would also enfranchise a certain

(14) Journal, March 4th. Howick to Earl Grey March 6th.

(15) Journal, March 10th.

number of tenants at will. Sir George Grey, whom Howick consulted on the 19th, approved of the idea, believed that it would have more chance of acceptance if not proposed by the Government, and eventually helped his cousin to draft the amendment. Towards the end of March Peel expressed a desire to William Lascelles to see Howick's proposed means of settling the franchise question; Howick and Wood, therefore, set about drafting a paper for the Opposition leader's perusal.⁽¹⁶⁾ At this stage, Howick had reason to feel satisfied; an important problem, which he believed played its part in Irish unrest, seemed as though it would be settled, with himself having the chief credit for that settlement. An amendment from the Opposition on similar lines would be resisted by the Government, and a Government proposal would not be listened to by the Opposition, but Howick and Wood were in a 'neutral' position, and if proposed by them all parties might be relieved to accept the measure.⁽¹⁷⁾

His elation, however, was soon jolted. On March 30th, he had reported to his father that Peel, ever cautious, was at the moment unwilling to commit himself, but that at least two more supporters for his proposed amendment had been gained, the Speaker and Sir W. Somerville, a moderate Irishman in the Whig ranks. 'Altogether I think things look very well for our carrying what we mean to propose.' Yet on April 1st, Wood received a letter from Morpeth which intimated that the Government were

(16) Journal, March 30th-31st.

(17) Howick to Earl Grey, March 23rd.

unwilling to stand aside and see him and Howick extricate them from their difficulty. Morpeth stated that the Government had decided that if there was to be any modification to the bill it ought to be left to them; at the same time the note gave no indication as to whether the Government was prepared to accept and propose Howick's scheme. Perhaps suspicions of Howick's real intentions had something to do with this decision; perhaps Russell and his colleagues believed that Howick was aiming to attract to himself a group of followers from the Whig ranks, or was simply aiding and abetting the Tories. Howick was annoyed by the tone of this letter. He suspected that if the Government had a different scheme to propose it would be something more likely to attract Radical support, and would, therefore, be something to which he could not agree; in any case the Government were sure to ^{be} beaten on any such proposal. Therefore, he decided to go ahead with his amendment without further reference to the Government. (18)

In the House of Commons on April 2nd, Russell outlined to Wood the Government's new plan. This was to adopt part of Howick's proposal by having a high occupation franchise, and was to introduce a modification of their own, by enfranchising those whose land was rated at ten pounds per annum and who held leaseholds of fourteen years or more. Howick believed this was not so good a measure as his own, and stood less likelihood of success. He resolved to persevere in framing and presenting his own amendment;

(18) Journal April 1st. Howick to Earl Grey April 2nd.

in this he was urged on by his father, who wished him to give notice of it as soon as possible in case the Government itself adopted Howick's suggestions and took all the credit from him. Wood was more hesitant as to the line to be adopted; no doubt remembering the previous year and how he had been censured by his own father, he did not relish the thought that perhaps he and his brother-in-law would be in lone opposition to a Whig Government:-

'Both you and he (Earl Grey) have a sort of notion of chivalrous or heroic times', he wrote to Howick, 'when one man decided the fate of a battle. I have imbibed more modern notions, and think that to carry weight we must wear a tail and I am very much against committing ourselves to any line in action (not in speaking) which will leave us alone with the Tories... The Government and people in it cannot help committing themselves, for they are bound to make propositions. People in like manner, with a tail, may make propositions for they are sure of support: but people who have not a tail should confine themselves very much to debate, find fault, suggest amendments and shew better sense, and better skill than others, without displaying their weakness ^{by} ~~of~~ divisions.' (19)

On April 20th, Howick in the Commons gave notice of his amendment in general terms. Two days later Morpeth announced he would raise the amount of rating in counties from his previous figure of five to that of eight pounds. On the 26th Howick

(19) Wood to Howick, April 9th.

proposed his amendment on the first clause of the Government bill; he did not state a particular figure of the difference between rating and rent which would give the right to vote. He claimed that the purpose of his amendment was to define the real 'interest' that would-be voters had in their holdings. He announced his intention in a later amendment of proposing an occupation franchise at a higher amount of rating. Morpeth opposed the amendment; he claimed it would be a measure of disfranchisement. Stanley and Peel announced that they would support Howick's first amendment, but would only vote for an occupation franchise if brought forward by the Government. Howick's amendment was carried by 291 votes to 270; only four Whigs, excluding Wood, voted with him, both Hawes and Acheson who had expressed themselves as favourable towards it, deserted him when it came to the division.

Howick, at the urgings of Wood and after consulting his father, agreed to give up his second amendment, as it would receive no support from either side of the House. On April 28th, Russell announced that he did not consider the amendment to the Government bill as fatal to that measure, and announced his intention of persevering with it; however, the next day - after a further unfavourable division in which Howick and Wood again voted with the Tories - he announced his intention of withdrawing the bill.

Thus Howick and Wood, despite their intention of helping

the Government to modify their measure so as to give it a chance of being accepted by the House, had as a result of their independent action ended by achieving the same result as they feared the original proposal would encounter, a defeat and a withdrawal of the bill. They had believed their proposals to be far better than the Government's, but apart from a few Whigs, had only gained the support of the opposition. To many Whigs, in the constituencies and in Parliament, their conduct must have appeared *factionous* two Whigs harassing the Government so as to cause the latter to take them back into its ranks, an old political game. Though the members of the Government might feel bitter against their two former colleagues, and for all that these had not detached from the Whig ranks a tail of followers to make their bargaining position and influence stronger - at this time there was a joke about the party of two, of Crusoe and Man Friday - (20) it was impolitic in the weak state of the Government to break all connections with the dissidents, both of whom were able men and who were responsible for Northumberland and Halifax being Whig constituencies. Therefore, despite differences of opinion both groups were anxious to remain on friendly terms with one another. In May 1841, Wood was offered the Secretaryship of the Treasury, and was informed that Howick would be brought back into the Government as soon as possible; this offer was declined, but it showed a desire on the Government's part to soothe differences past and present. After all Wood and Howick did support the Government's financial policy and there was

going to be an election in the summer of 1841. (21)

B. The Corn Laws and the Election of 1841.

On April 30, 1841, Francis Baring made his financial statement; to raise much needed revenue he proposed to diminish various protective duties, those on timber, sugar and corn. In the debate which followed Russell refused to declare what form an alteration of the Corn Laws would take. Howick was a convinced Free Trader, and as we shall see was within the next few years to be a prominent advocate for the adoption of Free Trade principles. He had always supported any proposals for altering the Corn Laws; to avoid clamour and to give just a modicum of protection to agriculture, which compared to industry was more dependent upon uncertainties such as the weather, he was up to this ^{time} willing to see a small fixed duty on corn, but nothing more, certainly not the elaborate system of protection which then prevailed. Therefore, he gave his hearty support to the proposed financial measures of the Government. In doing so he brought down upon himself his ^{father's} ~~followers'~~ wrath:-

'I must regret, most deeply regret, that on a question which as to its expediency must depend at least as much on the time, the manner, and the circumstance in which it is proposed, as on abstract right, that you should have committed yourself, give me leave to say prematurely and unnecessarily, to support the Govt in a course

of proceeding of which if my enfeebled powers do not prevent my doing my duty, I must express my utter reprobation. (22)

It was obvious that the Government was not strong enough to carry such fundamental changes in the commercial policy of the country. It was soon realized that the Government upon being defeated on their proposals, meant to have a dissolution. Howick regarded this as unwise, he was sure that increased strength would not be gained by it, whilst Earl Grey was strongly opposed to the whole course the Government was pursuing. Howick feared that to gain support an offer would be made to him to rejoin the Government; his father's views would make it impossible for him to do so and the result would be a further estrangement from the Whigs; therefore, he was relieved when no offer was in fact made. (23)

If his voting on the Irish Registration Bills had annoyed certain of his constituents, his approbation of the Government's intention to alter the Corn Laws probably annoyed more. The whole of Northumberland - Howick represented the Northern Division of the county - was much concerned with agricultural issues. His election, therefore, would have been difficult enough, but it was further complicated by a thunderbolt from an entirely unexpected quarter. On Tuesday, May 25th, Maria heard that Howick's brother, George - the only one of his brothers then available - had been forbidden by Earl Grey to go to Northumberland to assist in canvassing. So strong was Earl Grey's devotion to the Corn Laws and

(22) Earl Grey to Howick, May 1841 (no precise date).

(23) Journal, May 22nd, 1841.

so strong his hatred of the Government, that he was even prepared to make known his disapprobation of his son's politics, the result of which fact could scarcely be doubted.

Howick was not only surprised but justifiably annoyed. The subject of the Corn Laws had been one of the few consistent differences on politics between father and son, but he had never expected that it would reach such a stage that his father would ever set about hindering his own election. On May 26th, he sent for George Grey, who confirmed what Maria had heard. Thereupon Howick went to his father's house in Berkeley Square, where he had 'a long and very disagreeable conversation' with him. Howick announced that he could not stand for election if thus publicly discountenanced by his own family; he thought it would in the circumstances be better if he informed his adherents that he intended to retire. He pointed out how far he had endeavoured to meet his father's political views in the past, and how his father's opinions had led him to take a firmer line both over his resignation and recently over Morpeth's bill than he might have done if left to his own devices. He, however, could not compromise over the question of commercial reform, and could not do otherwise than support the Government. Earl Grey complained that in his recent speech in the Commons he had not only approved the measures, but also seemed to approve the time and the manner in which they had been brought forward. Howick denied this last charge:-

'but that it did not appear to me that under all circumstances I was at all called upon to express this opinion... that in the H.

of C. no man standing alone or not acting in concert with others could be of the slightest use or exercise any real power and influence, and that therefore as it was impossible I should ever act with Peel and his friends I thought it of great importance to do nothing to widen the separation already created by circumstances between myself and the members of the present Govt and the party of which they are the leaders. Now if in supporting their measures I had joined in the censure which has been thrown upon them for the time and manner of bringing them forward, the result would have been that I should have added to the force of the attacks they are most sensible of, and if they fail in the elections... that failure would in some degree at least be attributed to me...'

Earl Grey voiced his strong disapproval of the Government, said that he could not look without horror at the possibility of his son ever acting again with Russell, and endeavoured to show how ill-used Howick had been by the Whig leader in the Commons. Howick defended Russell as best he could, saying that he had not intended what had actually happened. He then returned to the question of the Northumberland election; as it was probable that a second Tory candidate would be brought forward, he thought it best to inform his supporters as soon as possible that he could not himself stand, and thus they would be able to seek for another Whig in good time to replace him. He said that he would not be sorry to leave Parliament, politics being so unsatisfactory, that there were

many places on the Continent which he wished to see, and that only the critical state of the country and 'the disorganising projects of some individuals' had made it seem his duty to be in constant attendance at the House of Commons. Earl Grey stated that he could not support Howick, but would do nothing to oppose him. Could comfort this! He desired to see Howick postpone an immediate decision as to whether to announce that he would stand or not, hoping that no Opposition candidate would be brought forward, and that Howick, unopposed, would be automatically re-elected. He promised to think over what had been said before coming to a decision as to what steps to take. (24)

On June 1st, Howick received from a certain Donaldson Selby, one of his Northumbrian supporters, a letter which did not give a very encouraging view of the state of affairs in the north. According to this, the farmers were apathetic about the latest Government measures, except for that concerning corn; they considered the idea of opening the trade in corn 'quite monstrous'. Few supporters would be had for any changes in the Corn Laws. The only encouragement this letter had to give to Howick was that so far no second Tory candidate had been brought forward. (25)

Three days later Howick had a further conversation with his father. It was decided that Howick would stand as a candidate, taking a chance that he would not be opposed. Earl Grey still refused to do anything positive in the way of supporting his son's

(24) Journal, May 26th, 1841.

(25) Journal, June 1st, 1841.

election, but did make one concession; if George Grey wished to help his brother, Earl Grey would make no objection. (26)

On Friday, June 25th, Howick left for Northumberland, leaving his Journal in the hands of Maria, who five days' later ominously noted that she had heard that Lord Ossulston - Howick's fellow member for the Northern Division and a Tory - was going to a meeting the aim of which was to concert an opposition to her husband. On July 1st, Maria had some disagreeable moments with George Grey, upon whose support Howick so much relied; his absence would mean Earl Grey's disapprobation, and would be so interpreted by friends and foes alike. George Grey, possessed with all his father's prejudices, did nothing but sneer at Howick's association with the present Government. Maria, however, got him to agree that Howick ought at least to go to the poll.

On July 3rd, Maria received her first letter from her husband. The news it contained was discouraging. The Tories had brought forward A.J. Baker Cresswell as an opponent against Howick, on July 1st; Maria immediately wrote to Earl Grey giving him this information, and in reply Earl Grey stated that he too had received a letter from his son, urging that George Grey should go directly to Northumberland, and that he regretted that there was to be a contest, first, because he disapproved of Howick's politics, and secondly because he could not afford money to match such an ample purse as Baker Cresswell's. Maria in the next few days was to prove herself a determined upholder of her husband's interests.

She promptly wrote to Lords Minto and Duncannon, Mr Bulteel (another of Howick's brothers-in-law), and Sir George Grey, to solicit their support. Duncannon promised to write to Earl Grey on the matter, and Bulteel came and made protestations of support for Howick, so that Maria was convinced he meant promptly to start for the north to aid in the canvass; the next day she was disillusioned on this point. Mr Bigge, whom we have already met as one of Howick's supporters in 1826, had told Howick that if he incurred a defeat, the fault would be with Earl Grey, for the Tories had learn of his disapproval of his son's politics, and this had encouraged them to bring forward another candidate. (27)

Earl Grey had to a certain extent relented, and though he continued to be strongly opposed to the ideology of free trade, he not only allowed George Grey to go down to Northumberland, but sent five hundred pounds with him to help pay election expenses. George Grey arrived at Howick Hall on July 4th, and his brother promptly wrote to express his gratitude for the money, which he valued as a sign that his father took an interest in his success. He confirmed the report that the Tories were making capital out of the political differences between father and son, and that the Duke of Northumberland was exerting all possible influence against him. He was, however, in favour of allowing himself to be nominated, and if he had the show of hands to leave it to his opponents to demand a poll. If by then the canvassing returns had shown no probability of success, he could give way upon being challenged

by his opponents to a contested election. After stating that the towns were the places where he hoped to secure most votes, he announced that at least one former supporter - Clavering of Callaly - would not aid him because he had opposed the Government on Stanley's bill. (28)

On July 5th, Maria received a further letter, describing how Earl Grey's name was used against his son, and of how the Duke of Northumberland's influence was also used against him. Maria passed the information on to Earl Grey, and in the evening all the Grey family paid her a visit and 'were all zeal and kindness'; the damage had, however, been done. It must have pleased Maria to see the way people rallied to her husband's support. Lord Duncannon offered her five hundred pounds collected from friends whom he was not allowed to mention, Lord Grey told her that Sir Willoughby Gordon had offered two hundred pounds as 'a proof of respect', whilst a Mr Denison had offered to stand security for raising money. (29) She herself continued to be indefatigable on her husband's behalf; hearing that the people at Widdrington on Lord Vernon's estates had not given much support to Howick, she contacted Lord Vernon's solicitors. After consulting Lord Grey, she made arrangements for sending off to Northumberland those people who were residing in London yet had a vote in the county. She also canvassed personally. (30)

(28) Howick to Earl Grey, July 4th, 1841.

(29) Journal, July 5th, 1841.

(30) Journal, July 6th-7th, 1841.

Meanwhile the accounts from Northumberland did not seem very encouraging. At the nomination, the High Sheriff, Sir Matthew White Ridley, declared the show of hands to be against Howick, though he and his supporters thought otherwise and they refused to move a vote of thanks to the Sheriff or to stay to hear one moved. Despite this setback it was decided to accept Baker Cresswell's challenge, and to poll the county. Along with this decision went one to economize as far as possible upon expenses. Instead of hiring various public houses for election purposes as was the general practice, Howick decided simply to issue dinner tickets to those who polled for him, entitling them to obtain at any public house dinner up to a certain value. For the conveyance of voters he was relying mainly upon the exertions of private friends, for instance a certain Nairne was to transport the Holy Island voters in his own steamer. A subscription had been started, and by July 5th, four or five hundred pounds had come in. Meanwhile General Grey, Howick's uncle, had contributed five hundred pounds, and more money was forthcoming from other quarters; eight hundred pounds was sent from Newcastle, and Sir John Swinburne had offered to lend £1,200 or more if needed. (31)

All was in vain. On the night of Friday, June 9th, Howick announced his defeat to be almost certain. Many farmers of hostile landlords had broken promises made to his agents, and the Opposition had been very successful in prevailing upon electors not to give plumpers but to split their votes between the two Tories. Voters at Wark who had previously promised to split their votes, giving

Howick one, had been harangued by Lord Ossulston, and had been obliged by the consequences of a refusal to do as he wished, to retract their promises; Ossulston had told them that as the purpose was to turn Howick out, votes split with him would not fulfil that object, and that he, Ossulston, could not accept them. Nevertheless Howick was pleased at the zeal his friends had shown, and at the way expenses had been kept within reasonable bounds, being within the amount subscribed.

The poll was concluded on Monday, July 12th. At ten-thirty in the morning, Sir Matthew White Ridley declared the result. Ossulston polled 1,216 votes, Cres^swell 1,163 and Howick 1,101. The Northern Division of Northumberland was now represented by two Tories, and Howick was without a seat in Parliament. His votes against the Whig Government, his economic theories, the fact that he did not have his father's support initially, all these no doubt contributed to the result, but his was by no means an isolated Whig defeat. That party lost heavily, and it was evident that the country as a whole desired a change of Government.

C. The search for a seat; Sunderland.

Howick's first reaction to his defeat was to make arrangements for a Continental tour. He had even got as far as fixing a date for their departure, when he received in July 29th, a letter from his brother George, which made him hesitate as to the course he

ought to pursue. There was a possibility that Liddell, the Tory member for North Durham, would be offered an appointment when the new government was formed, and that in that case Howick would be asked to stand for the vacant seat. Howick thereupon wrote to his father asking his advice. He stated that he would be glad to get back into the House of Commons, but that there were several objections to standing for this particular seat. For one thing it would bring down much abuse on Louisa Lambton's head, Louisa being his sister and wife of the late Earl of Durham.

Her son, Hedworth Lambton, already held one of the seats, and if so close a relation stood for the vacant one, she would be held to be trying to gain both seats for herself, whether she played any part in the election or not. In addition it would be said that Howick stood for a county with which he had no connection. A contest would also cost much money, certainly not less than £2,000, and where was the money going to come from? He could hardly ask Earl Grey to contribute more, and all his own savings from his salary whilst in office had been absorbed by the late election: of course he could incur debts, but he was very reluctant to do so. There was also a chance that Ossulston would receive a household appointment, in which case there would be a re-election in his old constituency. Not that he thought that he would be any more successful if he stood for it again. He believed that, given due notice and time for preparation, the Whigs were strong enough to carry one seat in this division at a general election, but that

the Tories were so much the more powerful that in a single election any Whig who stood would be defeated. He announced that he was still inclined to leave for the Continent, but would await his father's advice. (32)

Earl Grey was not in favour of Howick standing for North Durham, unless the people invited him to stand as a spontaneous gesture, and bore all the expense themselves. He, however, differed from his son as to the probable result of a contest in the event of Ossulston vacating his seat, and thought that Howick should lose no opportunity of cultivating and improving his interest in the county. Therefore he wished to see Howick spend the winter in Northumberland. His letter ended with further abuse of Russell, who had destroyed the Whig party and sacrificed Howick to the Tories - it did not occur to him that his attitude had played a part in the last debacle. As for money, Earl Grey's answer was conclusive: 'I really have not a shilling.' (33)

Howick went ahead with preparations for his departure to Antwerp, but on August 5th he received a letter from one of his supporters in Northumberland saying how pleased all his friends would be if he came north, and announcing that when all the election expenses were paid there would be a surplus of about £1,100 which his friends were going to keep in reserve for the next struggle. This letter caused Howick to change his mind about an immediate

(32) Journal July 29th. Howick to Earl Grey July 29th.

(33) Earl Grey to Howick, August 1st, 1841.

holiday abroad; he did not wish to offend his supporters, and if there were a vacancy in North Northumberland at least the problem of finding most of the money to fight it had been solved. Therefore, he determined to forfeit his passage money and to go to Northumberland. (34)

North Durham and North Northumberland were not the only places for which Howick considered offering himself as a candidate. There were rumours that Hodgson Hinde, Tory M.P. for Newcastle, would vacate his seat, and Howick was prepared in that case to put himself forward as a candidate. Wood also wrote to inform him that there would probably be a vacancy at Aberdeen. (35)

On Thursday, September 9th, Howick and Sir George Grey went to see how the construction of a new harbour at the mouth of the Coquet was progressing. On their return in the evening, they found three gentlemen from Sunderland waiting in the library to see Howick. They were a deputation sent by the Whigs of Sunderland to ask Howick to become a candidate for a seat which Alderman Thompson had just vacated in order to come in for Westmorland in the place of Lord Lowther, who had been called to the Lords. They brought a requisition asking Howick to stand signed by 'many of the leaders of the liberal party in the town.' The deputation assured Howick that there was a fair chance of success; that his views as to ballot and other related matters would be no impediment, and that, most important of all, the expense would not be very

(34) Journal, August 5th.

(35) Journal, August, 12th, 25th, 26th, 28th,

great, probably not more than eight hundred pounds. Howick consulted his father: he announced that the residue of the money he, Earl Grey, and General Grey had provided for the Northumberland Election could be used to fight this one, and that the balance due to the other subscribers could be restored. Earl Grey agreed, and advised Howick to accept the offer. Therefore, at about 10 a.m. on the Friday, he found himself in Sunderland. After stating to his supporters that his expenses must be confined to those which were strictly legal and necessary, he began to canvass and so continued till 6.30. Howick had an initial advantage over his opponents, for the Tories were late in fixing upon someone to represent them; at first they canvassed for Lord Dungannon, but on the Friday evening he withdrew, and Wolverley Attwood, a man connected with the shipping interest, was brought forward. On the Saturday it was another tale of canvassing: Howick was now assisted by Sir George Grey, who had come to Sunderland bringing Maria with him. On Sunday Howick wrote to his father to give him an idea as to his prospects; he calculated that the contest would be a very close one, Attwood as a commercial man being far more formidable than Lord Dungannon. Howick feared that his opponents would have recourse to direct bribery; they were already being lavish in hiring bands and sending their colours to public houses. There was on the part of his friends a disposition to follow the example set by his opponents:-

'I have been very much annoyed at hearing this evening from

George Grey that Williamson had told him... that he had reason to believe that my friends determined not to lose the election if they can help it and finding that Attwood is spending money, had followed his example, and spent last night £100 in treating. He said he believed they meant to pay this themselves and never to let me know it, but I have no confidence in their not throwing the expense upon me... I cannot say how annoyed I should be at its appearing that I had carried the election by such means....having often in the H. of C. expressed a strong opinion against all kinds of corruption. I should much prefer losing the election to gaining it by such means. (36)

On the Monday, he was canvassing again from 8 a.m. to 4.30 p.m. At his committee room he condemned the bribery to which the other side appeared to be resorting. He also privately warned some of his supporters not to participate in proceedings partaking of the nature of bribery or treating. Tuesday brought an account of how Willis, a steward of one of Attwood's steamers, had attempted to induce the Sunderland Chartists to put a certain Colonel Thompson in nomination and to demand a poll for him, with the object of dividing the loyalties of Howick's supporters; Willis had offered a Mr Binns, the leader of the Sunderland Chartists, £125 as a bribe and to meet the expenses of going to the poll, and this Binns had rejected with great indignation. On Wednesday, 15th, the nomination took place; Binns who spoke for Colonel Thompson took the opportunity to reveal the offer made to him by

(36) Howick to Earl Grey, September 12th, 1841.

Mr Willis, steward of the 'Ocean', a ship of the Steam Navigation Company, of which Attwood was the Chairman. Howick praised the talent the Chartist leader showed. The shower of hands was in favour of Colonel Thompson, but only Howick and Attwood were to fight it out at the poll. On Friday the poll closed; the result was a victory for Howick. He polled 750 votes to Attwood's 463. Howick was, however, prevented from speaking from the hustings after the result was declared by a group of men hired by Attwood to prevent anyone speaking but himself; Binns too failed to get a hearing. The victor was paraded about the town in an open carriage lined with blue and buff silk, being followed by more carriages, 'there was an immense display of flags in the procession and a prodigious concourse of people.' Shortly before the procession came to a close a man named Liddle, owner of the Reform Tavern (whom Howick declared they had refused to bribe by hiring a band he had), together with some drunken friends pelted the carriages with stones, and Liddle fired a gun at the carriage which contained Maria. Fortunately, the gun was only loaded with paper, but the story was sensationalized by the papers into an attempted assassination of Sunderland's new member of Parliament. The crowd immediately rushed to the Reform Tavern and destroyed every article it contained. Liddle was fortunate enough to be seized by a party of constables who protected him from the crowd. (37)

(37) Journal, October 2nd. Letters to Earl Grey September 10th, 12th, 13th, 15th, 16th and 18th.

On October 7th, Howick heard that a petition was to be presented in the Commons against his election, on the ground of bribery. He was rather sceptical about the whole story. That winter, hearing of the death of Louisa Lambton at Genoa, and how her children were there, Howick and Maria left for Italy to take charge of them; it was not until March 2nd, that he was back in London to take his seat in the House of Commons. It was not until May 22nd that the question of an enquiry into the Sunderland election again raised its head; on that day he received from a Mr Moore of Sunderland a letter containing information of a clear act of bribery committed by one of Howick's agents. A week later he heard that the other side were determined to press forward with a petition against his election, mainly on the ground of treating, and that witnesses were being summoned and counsel retained. Howick decided to go and see Joseph Parkes, the main agent for the Whig party; from Parkes on May 30th, he learnt facts which one of his supporters had disclosed to Parkes but not to himself, that the actual cost of the election was four thousand pounds or thereabouts, and that there had been an immense amount of treating. The position looked serious, but there was still one hope. In many cases of this nature the two parties unofficially and illegally compromised, that is to say that the Whigs would withdraw a petition against a Tory member, if the Tories would withdraw a similar petition against the return of a Whig. Parkes decided to go and see his opposite number in the Tory party to

make some such arrangement. On June 3rd, he was able to report to Howick that the Tories had agreed to withdraw their petition against the Sunderland election, and would announce this in the House that same evening: they required in return that a petition against an election at Brighton be dropped, and Parkes agreed to place in the hands of the Tory agents a letter withdrawing this petition, but which was not to be used until the following week to avoid the suspicion of compromise. (38)

D. Free Trade.

1841, and the Tories were once more in power. 1841, and a weak Whig ministry had been replaced, so it seemed, by a stronger, more talented, and stable one under Sir Robert Peel. Yet within five years the whole Tory party was to break asunder on the Corn Laws, the main target of those who demanded free trade. In fact the cry for free trade formed one of the predominant political factors in these years of Conservative rule, and the tragedy, from the Tory point of view, was that their own Prime Minister in reality accepted this intellectual dogma of the nineteenth century. The story of the conversion of Peel to give practical direction to free trade theories, and its consequent result, are well known. What we are concerned with is Howick's position with regard to the struggle for free trade, for it was this topic which dominated his public utterances and much of his private thought in these years.

(38) Journal Oct. 7th, 1841. May 22nd, 29th, 30th, June 3rd, 1842.

'A doctrin^{is}~~ize~~', 'a complete Cobdenite' are terms which have been widely employed to describe Howick's views on free trade; Palmerston described these as 'ultra Free Trade Doctrines'. (39) Questions of the principles of economics, of trade, of currency, were intellectual food and drink as far as Howick was concerned; throughout his correspondence with his father there is evidence of how much he enjoyed discussing rival theories in such matters and propounding his own solutions. Just as some of his contemporaries delighted in the thrills of the turf, so Howick had similar enjoyment in this, what to most would seem, more forbidding field. As has been briefly stated elsewhere Howick's economic theories were those of the most advanced of his contemporaries; certainly they went far beyond the extent to which more orthodox Whig aristocrats like Russell were for the moment prepared to go, and were utterly detestable to the older generation like Earl Grey and Lord Lansdowne. These are vague generalities, however, and we must now turn to give some more concrete illustration of what Howick's doctrines involved, in so far as they referred to free trade, the Corn Laws, and the whole system of preferential duties for British colonies.

And what better way than to convict a man through his own testimony? Take for example Howick's speech in the Commons on March 9th, 1842. Here he asserts his belief in 'the natural and unchecked operation of trade,' Any attempt to interfere with this -

(39) Later Correspondence of Lord John Russell.
(ed. Gooch) 1925. Vol. 1. p. 74.

for example Parliament might attempt to fix prices, an act of Parliament might endeavour to prevent fluctuations in the price of corn - would be, to use a favourite Howick phrase 'worse than useless.' This was a cardinal belief of all prominent economists since the days of Adam Smith, as was a kindred idea that Parliamentary attempts to determine wages was harmful and useless in that it hindered the working of the free ^{fr}contact between employer and employee; needless to say Howick held this latter view also. Could not 'the natural and unchecked operation of trade' be found disadvantageous in some respects? Did it not give free rein to self-interest? Did not this and its sister theory of a free ^{fr}contact between employer and employee exalt the strong and unscrupulous and depress the weak? In this argument of complete liberty in commerce and industry versus various systems of control, Howick's position was clear, and he thus naively expresses it:-

'...experience has shown that the natural system, when allowed to do so, works with a regularity and beauty which it is impossible sufficiently to admire. In the whole order of creation there is nothing more marvellous or more striking than the manner in which, by the combined operation of a number of individuals, none of whom, probably bestows a thought upon the public good - each seeking only to promote his own private individual interest - the supply of food to a great community is regulated.... the more one considers this beautiful mechanism of society, the more must one be convinced that it is the appointment of unerring wisdom, and infinite benevolence...'

Many of the aristocratic ruling class believed that protection against foreign foodstuffs was essential for the agricultural interest, to which they of course belonged, and which was considered as the backbone of the country. Howick believed in only one form of protection, 'that which secures to every man the enjoyment of the fruits of his own honest industry - which guards him against being deprived by others directly or indirectly of the produce of his labour.' Protection was artificial, not part of the natural operation of commerce, and, therefore, wrong; to Howick it simply implied that people were to be forced to pay higher prices for perhaps inferior articles, which, if there were no protection, could be procured more advantageously elsewhere. He rejected all arguments that protection could be for the ultimate good of the country as a whole.

Nevertheless, in the case of the Corn Laws, Howick was in part prepared to depart from a strict adherence to the principle of free trade, and he thus occupied a somewhat different position from Charles Villiers and other free traders and supporters of the Anti Corn Law League. Howick favoured a small fixed duty on the importation of foreign corn. His reasons for favouring such an infringement on the key doctrine of free trade were, apart from the need for caution and moderation in attacking such an institution cherished by many, a consideration that total repeal might react unfavourably on the public revenue as a whole, whilst he did recognize that agriculture was a rather unusual case, there being

'peculiar burdens that weigh upon land.' To sum it all up, Howick believed that a small fixed duty was advantageous and the fairest compromise between conflicting opinions, and for these reasons was prepared to depart from the strict letter of free trade. Yet if a choice lay between maintaining the sliding scale of duties on corn, and the total repeal of all duties, there was never a doubt that Howick would give his support to the latter. Only when the pressure for total repeal became so strong did Howick abandon his compromise scheme.

Another important aspect of the free trade issue had regard not only to duties against goods from abroad in general, but was concerned with the whole idea of differential duties, which allowed the importation into this country of much colonial produce on more favourable terms than identical produce from countries outside the British Empire. This had been a supremely important doctrine in the old ideas of Empire dominant in the eighteenth century, but came under ever increasing attack as a result of the new conceptions of nineteenth century individuals interested in colonial affairs. The whole subject was of great concern to Howick, and was to assume vast importance when he entered the Colonial Office as Secretary of State.

The whole system of differential duties was artificial, and hence in Howick's eyes obnoxious, and in the free trade debates in the early 1840's he made it quite clear that if ever he gained control of the Colonial Office this cardinal feature of the old

colonization^{alism} would be swept away. In the past England had benefited from the conceptions of a commercial theory of a closed Empire, producing goods which would be of advantage to the Mother Country, and most of whose trade was conducted through and under the control of the Mother Country. In return for restrictions on colonial trade imposed by the mercantilist theories, and to obviate the argument that colonies existed exclusively for the advantage of England, colonies derived certain advantages themselves from the system; bounties were paid to encourage the production of desired crops, safe markets in England were guaranteed for certain products, and colonial goods could often be imported into England at a lower rate of duties, than those placed on identical goods from foreign lands. By 1840 the Navigation Acts were outmoded, the theory of which they were the embodiment was dying if not dead, and growing opposition was being aroused against differential duties as a whole. The colonies clung to the latter; the West Indies had suffered a decline in sugar production through the loss of cheap labour resulting from emancipation, the planters were, therefore, all the more determined to maintain the system of differential duties which, so they believed, not only gave them an assured market but alone enabled them to compete with slave-grown sugar from other lands. Other colonial interests which derived advantages from differential duties were similarly determined.

Colonial interests were not as strongly represented in the Imperial Parliament as they had been in former times, and English politicians grew ever more concerned about the needs of the

consumer at home rather than say the Jamaican planter. This concern grew with the spread of free trade doctrines. Important duties on say foodstuffs damaged the consumer most, by artificially raising prices; differential duties further damaged the consumer by restricting the amount of food imported from abroad, so as to benefit interests in various British colonies. So thought the free traders, and so thought Howick. Restraints on imports meant corresponding restraints on exports since commerce to flourish needed a free system of exchange of goods. Therefore all tariff barriers were legitimate targets of attack, and in the process of demolishing these, differential duties would be swept away.

On May 13th, 1842, Howick moved the following Resolution:-

" That in making a new arrangement of the customs duties, it is not expedient to impose different rates of duty upon the same articles when imported from foreign countries or from British possessions, in any case where no such difference now exists; and that in those cases in which such a difference exists, it is not expedient that it should be increased." (41)

He justified his opposition to differential duties on the grounds that like all import duties they imposed an unnecessary burden on the consumer, whilst at the same time they deprived the Treasury of a substantial source of income, through being rated lower than identical goods from outside the Empire; he also contended that the supposed advantages for the colonies from the system were in reality an illusion. He spoke of colonial capital

(41) Hansard Third Series, Vol. 63, pp. 512-20.

and industry being diverted from their natural channels, of an uncertain reliance upon an artificial system of commerce which might be shattered by a change in Britain's commercial policy; if the Mother Country gave favourable terms to colonial produce above all others, it was obvious that the advantage ought to work in the other direction too, and that British goods should enjoy favours in colonial markets, yet this would restrict the general trade of the colonies. Howick suggested as the correct policy the following:-

'... to give the colonies the freedom to buy wherever they could buy cheapest, and to sell where they could get the best price; that they should have free access to our markets, but no superior advantages. If we pursued this policy, and abstained from vexatious interference in the internal government of the colonies - if we allowed them, as far as was consistent, to manage their own affairs in their own way, so far from such a policy weakening the connexion between the mother-country and the colonies, it would contribute to render it permanent and mutually beneficial.'

No clearer indication could have been asked for on the principles on which Howick would formulate a colonial policy; At the same time, as in the case of corn, he was not prepared to abolish holus bolus a long-established system of interests; the first steps as he saw it in 1842 was to ensure that no further interests were created by an extension of the system of differential duties.

The whole subject of free trade versus protection assumed

increasing importance during Peel's Ministry, and dominated Parliamentary debates long before the 'tour de force' of the repeal of the Corn Laws. In such debates Howick took a prominent and leading part, as we might expect from a knowledge of his interest in the subject and his character; in fact such a leading part that he aroused some suspicion among fellow Whigs that he was aiming at, to quote Palmerston, 'setting up business upon his own account as leader of a small party, Charles Buller and Hawes being his two Generals of Division.' (42)

Peel's conversion to the principles of full free trade was too slow for Howick. In 1842 he was disappointed at Peel's new scale of duties; this Budget, which showed a definite move towards free trade principles, according to Howick carried 'to an absurd extreme the system of Colonial protection.' As we have seen he moved an amendment against the creation of new differential duties, which was defeated by 281 to 108. Howick could not count on the support of the full body of Whigs, many by no means subscribed to his free trade theories, and looked upon him as an extremist in such matters.

So strong was the unwillingness to support him on this occasion, and so many were the Whigs who decided not to vote, that at one time Howick came near to abandoning any idea of dividing. (43)

On June 13th of that year Howick moved another Resolution calling for the reduction of the proposed duty on foreign coffee, and in the preceding month made a similar motion with respect to foreign butter.

(42) 'Later Correspondence of Lord John Russell' (ed. Gooch) 1925. Vol. 1. p. 74.

(43) Journal, May 18th 1843.

In 1843 Howick was again eager to press the free trade attack home; the growing interest and agitation on the subject made pressing it in Parliament a matter of practical politics. Howick favoured opening the attack with an amendment on the Address referring to the Corn Laws.⁽⁴⁴⁾ As it was he was given the task by Russell of giving notice of a motion on the distress of the country; on February 13th, he moved for a committee to consider the distressed state of the country, whilst at the same time he propounded his own remedy for that distress:-

'... the natural field for the employment of capital and labour is narrowed, cramped and confined by artificial restrictions and barriers, which it is in your power to remove... It is notorious that if these laws (the Corn Laws) were repealed or modified tomorrow, there would be a large increase in the importation from foreign countries of various commodities. and especially of that article which forms the staple food of the people.'⁽⁴⁵⁾

The majority against this motion was 115.

In May 1843, though still in favour of a small fixed duty, he supported Charles Villiers' motion for 'a committee of the whole House to consider the duties on the importation of corn with a view to their immediate repeal'. Howick recorded that most of the front bench Whigs were against the motion and it was defeated by 381 votes to 125. Later that same month there was a division on the preference given by the Government to Canadian corn, and again

(44) Journal, January 11th, 1843.

(45) Hansard Third Series, Vol. 66, p. 470.

many of the Whigs voted against Howick. (46)

In January 1845, Howick produced a paper concerning the distressed state of the country, and believing free trade to be the only remedy for this, drew up a set of resolutions for carrying this into effect. These papers he sent with a letter to Lord John Russell. In this letter Howick expressed the hope that Russell would adhere to a determination he had expressed in the former session of moving for a Committee to enquire into the state of the working classes. The condition of these classes, Howick believed, could only be bettered by 'the sweeping away of all restrictions upon the freedom of trade except those duties which are imposed simply and exclusively with a view to revenue.' He realized that Russell hitherto had not been prepared to go so far, but he believed that the condition of the country justified a bold onslaught against the principle of protective duties. As it was Ashley and others in Parliament were tackling the problem, not realizing where the solution lay, in an ineffective and often 'useless or worse than useless' manner. Howick acknowledged that by acting on his views the Whig party would lose some of its adherent, but believed that this would be more than counterbalanced by the swing of public opinion in their favour. (47)

The paper on the state of the working classes, and the draft of the proposed Resolutions further illustrate Howick's free trade

(46) Journal, May 9th and May 22nd, 1843.

(47) Howick to Russell, January 18th, 1845.

theories. In fact the Resolutions are in the main nothing but an exposition of Howick's general economic theories. Russell agreed with much of what Howick said; he was by this time not averse to the entire removal of duties on foreign corn, provided it was done gradually, and accompanied by 'a diminution of the burthens on the occupiers of land.' Russell announced that he favoured a small fixed duty as a preparatory measure. (48)

Howick was pleased with Russell's speech on the day of the meeting of Parliament. He began to hope that he was converting the leaders of the Whig party to his views, though it is probable that Russell being a wily and practical politician saw that the tide was turning in favour of free trade in the country, and resolved to take advantage of the fact. Whatever the reason for Russell's 'volte face' - probably a mixture of genuine conversion and party tactics - Howick could note in his Journal on February 4th:-

'the part about free trade except that it was very inconsistent with his former doctrines was very good. I think the papers I sent him have had something to do with what was certainly a very decided move forward.'

Nevertheless Russell was by no means an entire convert to Howick's views. In February of that year there was a debate on a resolution by Milner Gibson for equalizing the duties on foreign and colonial sugar; among the prominent Whigs who voted against Howick on this question were Russell, Baring, Labouchere and Hobhouse.

(48) Russell to Howick, January 24th, 1845.

In November, 1845, while Parliament was further prorogued, news of a split in Peel's Cabinet, over his proposal to end the Corn Laws as soon as possible, spread about the country. The Tories were disunited. Russell, ever an opportunist, seeing the tide setting strongly in favour of abolition, in a letter to his constituents from Edinburgh, dated November 22nd, announced his conversion to the principle of entire abolition; he stated that he had originally been in favour of a compromise solution such as the imposition of a moderate fixed duty, but in a typical party attack blamed Peel for not acceding to this, and now the time was past when a fixed duty, unless it were to be speedily abolished, would satisfy the free traders; it would merely prolong a harmful controversy. (49)

Howick - now the third Earl Grey, since the death of his father in July 1845, and hereafter referred to by that title - was delighted with Russell's statement; he had no strong objection to Russell's declaration for total repeal as the crisis justified the step, but he disliked the declaration in that it scented too much of party tactics, and disliked the references to Peel in that they came from some one 'personally interested in discrediting a political rival.' (50)

Peel's Cabinet broke up on the Corn Law question, and Russell was sent for by the Queen. On December 13th, Grey, residing in Northumberland, received a summons to town from his leader.

(49) Press cutting affixed in Grey's Journal for Nov. 1845.

(50) Journal, November 28th, 1845.

Russell was about to attempt to form a government, and repeal the Corn Laws. But how many of his party would agree to this step, and would not this attempt dislocate the Whigs, as Peel's proposal had the Tories ? The stage was all set for the important events of December, 1845, but before going on to deal with these, in which Grey played a paramount and controversial part, let us briefly glance at another topic which captured his interests in those years when he was out of office.

E. Railways and a proposed Company.

Howick was always a child of his age. Naturally, therefore, he was interested in railways. So passionately was he interested in this latest form of transport, that once, as a joke, Maria gave him on his birthday, a railway timetable !

The first mention in Howick's Journal of a Northumberland Railway occurs in June, 1844. From that date this project of carrying a line of railway north from Newcastle was to absorb much of his energy, and when not taking part in free trade debates he seems to have spent the remainder of his time in Parliament in attending committees or debates on anything to do with railways.

Howick was one of the foremost, if not the foremost, person who began to concern themselves with establishing a Company to carry out this particular project. He wrote soliciting support from Northumbrian landowners, induced Ricardo to become one of the directors of the proposed company, and whenever those interested

met it was nearly always at his house in town. On July 29th, 1844, he noted:-

'our prospects are I trust very good of forming a very powerful company and getting all the money we want.' Among those associated with him were Brunel, the engineer, a certain De Custro described by Howick as 'one of the monied men that have been induced to join us,' and various prominent Northumbrians.

In part Howick's interest in this project seems to stem from the fact that Hudson, 'the Railway King', had already envisaged a line north of Newcastle, and was desirous of placing such a line east of Howick Hall. It would thus be between the Hall and the sea, and to this the second Earl Grey objected strenuously. The plan for a company to rival Hudson's seems to have arisen partly as a result of this. On August 2nd, 1844, Howick received from Hudson a letter offering to carry his line 'at a considerable expense' west of Howick Hall, and asking for support. Howick replied that such an offer now came too late, and sent his letter to be forwarded, together with a prospectus from his own company.

Hudson resolved to persevere with his plans, and there were thus two companies seeking to gain parliamentary approval for laying the line. Howick continued to be pleased by the turn of events; on August 24th, he learnt that he could count on the support of the Duke of Northumberland, and that Lambert, his agent, had already received 551 applications for shares. On October 2nd, he learnt from Wilkinson, Chairman of the Croydon Railway, and who

for £500 a year had joined Howick's Company as Vice-Chairman, that Brunel was able to reduce his estimates to £800,000 for the main line, including two bridges, and £200,000 for a branch line to Kelso:-

'he says "we have very nearly enough shares taken, and more than enough money paid up to go to Parlt".'

On December 4th, Howick heard that the plans of his own railway company, together with those of their opponents, had been deposited at the Board of Trade. At this time the Railway Department of the Board of Trade, had the task of making a preliminary report to Parliament, recommending acceptance of one company's offer rather than its rivals: its report was not final, however, it being expressly stated that it was to be regarded in no other way 'than as intended to afford aid to Parliament in the elucidation of facts and recommendations.' (51)

On January 20th, 1845, Howick went up with a deputation from the Directors of the Northumberland Railway to the Board of Trade to state their case. At the same time, to avoid all the expense of a parliamentary contest, it was decided to attempt a compromise with Hudson, and Howick was given by his colleagues the task of writing to propose a union of the Companies for the purpose of carrying into execution whichever line was sanctioned by the Board of Trade. On Saturday, January 25th, Howick learnt that the Board of Trade had reported against his line and in favour of Hudson's railway from Newcastle to Berwick.

(51) 'Mr Gladstone at the Board of Trade'. F. Hyde, 1934. Chapters 6 and 7.

On February 5th, Howick in the Commons requested further time for the introduction of railway bills in order to give an opportunity to companies against which the Board of Trade had reported unfavourably of determining after seeing these reports whether to go on with their bills or not. His request was granted, and he also obtained an admission that the reports of the Board of Trade were not to be considered as final. Two days later the Directors of the Northumberland Railway decided to fight for their Bill, and leave Parliament to decide between them and Hudson. As for the report of the Railway Department of the Board of Trade against Howick's project, he noted that 'nothing can be weaker.'

On Tuesday, March 4th, 1845, Howick presented a petition for leave to bring in the Northumberland Railway Bill. At the same time there was a controversy in circles interested in railways as to the comparative virtues of the ordinary steam engine and the atmospheric engine, a variety in which the steam is admitted only to the under side of the piston. Howick, who had seen an atmospheric engine, working on a line near Dublin in March, favoured this variety, which he hoped to see used by his own company. The House of Commons Committee investigating the offers of the two rival companies were not so impressed by the merits of atmospheric engines, and on May 24th, Howick noted:-

'... our railway bill will be lost, on the two points of the impossibility by the atmospheric of moving heavy trains, and of the insufficiency of a single line.'

His forecast proved correct, for two days later he heard that the preamble of Hudson's bill was voted proved.

Howick still refused to abandon all hope. He urged his associates to fight Hudson's bill in the Lords, whilst at the same time he endeavoured to stir up opposition to it in Northumberland. On May 30th the Journal contains the following:-

'Busy all the morning writing the draft of a petition. I mean to get signed at Alnwick for a reduction of the tolls in Hudson's railway bill.'

And on June 4th:-

'... busy all morning writing a petition for Chester le Street against Hudson's railway bill.'

Another scheme was to attempt to postpone the Lords' Committee on the Northumberland railway bill until after a conclusive experiment on the atmospheric system had been made on a specially constructed line at Croydon, but this was abandoned because the people at Croydon were unable to give a date as to when the line would be completed and the experiment take place.

The Lords' Committee on the Newcastle and Berwick railway, confirmed the decision of the Commons in favour of Hudson's project and against Howick's; the latter noted in disgust:-

'I suppose in the annals of Parliamentary Committees there never was a more flagrant violation of decency and justice.'⁽⁵²⁾
The only thing that remained to be done was to try and derive as much advantage from Hudson's scheme as possible. Learning that

(52) Journal, June 28th, 1845.

one of the latter's agents had offered Earl Grey £30,000 for permission to carry the railway east of Howick Hall, Howick wrote advising acceptance of the offer. Further reflection, however, convinced him that he 'could not with credit take a large sum of money from Hudson for a consent to the alteration of his line.' 'How I have mismanaged the whole business,' he now lamented, 'if I was to form a rival company I ought to have taken more care to carry it which I believe I might have done had I in the first instance got the best assistance in Newcastle - but it wd have been wiser in me to have avoided mixing myself up with any matters of the kind and to have made the best terms I could with Hudson.' (53)

Hudson proved to be the new member for Sunderland, when on the death of his father, Viscount Howick moved to the Lords. He was not left entirely without any benefits by the success of Hudson's line; in the pecuniary field, he noted on October 13th:-

'I think ... I shall have a very good price for the land required from me by Hudson.'

So ended Grey's active participation in projecting railway lines and in company promoting. He was now to be offered a chance of playing a more positive part in his chosen vocation, in short the chance of becoming a minister in a Whig government.

F. The Crisis of December, 1845.

December, 1845, was a crucial date in the history of this country. Peel had failed to obtain the support of a united Cabinet

for a suspension of the Corn Laws and for measures which would have led eventually to their total repeal; he, therefore, resigned, and gave the Whigs an opportunity of settling the question and gaining popularity for their party. But the Whigs failed to form a Government, Peel was obliged to return to office, and the result was the destruction of the strong party which he had built up in long years of opposition. With the downfall of the Tories the country was fated to endure years of weak Governments, and splinter groups, not one of which could on its own command a large subservient majority in Parliament. The reasons why the Whigs handed back the 'poisoned chalice' to Peel must now be examined.

Earl Grey was at Howick Hall when on Saturday, December 13th, he received a letter from Lord John Russell informing him that the latter had been commissioned to form a Government and desiring Grey's presence in town. With Grey at the time was Edward Ellice, his uncle by marriage, and an influential person in Whig circles. They decided to set out for London the following day. On December 13th, Ellice wrote as follows to Russell:-

'Howick is right enough in essentials - will be difficult about some arrangements at the Foreign Office, and looks to either the Home or Colonial Office, if an administration is formed.'⁽⁵⁴⁾
 On the Sunday they set out, staying the night at Derby, and travelling onwards next day, when for the last part of their journey into London they were joined by George Grey. Needless to say the

(54) 'Later Correspondence of Lord John Russell'
 (ed. Gooch) Vol. 1. p. 88.

one topic of conversation amongst the three Whig politicians was the present interesting political situation. Grey records in his Journal:-

'Ellice wild as need be - amongst other matters there arose a doubt as to C. Wood's being in the cabinet upon which I had a violent altercation with Ellice...'

Another topic discussed in that railway carriage as the train rumbled southwards was the probable return of Lord Palmerston to the Foreign Office. Grey was no close friend of Palmerston's; he disliked the man's manner and even more so his foreign policy, which Grey considered as one of needless meddling in the affairs of other countries, a policy which at different times had threatened to bring the country into war or near war. Whilst serving in Melbourne's Ministry Grey had on more than one occasion been a critic of Palmerston's policy in the Cabinet; entries in his diary referring to Palmerston are always in the same vein:-

'Palmerston spoke as usual with unblushing impudence.' (55)
As late as 1844, Charles Wood had to intervene to prevent Grey from resolving to contradict Palmerston in the Commons on foreign affairs; two of the Whig front bench engaged in altercation would undoubtedly have been an unseemly spectacle and not one making for party unity. (56) Significantly enough the person who had encouraged Grey on that occasion had been Edward Ellice, who was

(55) Journal, March 9th, 1843.

(56) Wood to Howick, April 6th, 1844.

also no great friend of Palmerston's. Looking at some of Ellice's activities it seems he was what is commonly known as a 'busybody'. Disliking Palmerston himself, on that train journey he fostered Grey's apprehensions concerning the former's return to the Foreign Office; Ellice was willing that the odium of making an objection to Palmerston should fall upon Grey. If the objection was successful, all well and good; what Ellice does not appear to have realized was that he was instilling firmly into Grey a notion that was abruptly to end all chances of forming a Whig ministry. After the episode was over, Grey was very bitter as to Ellice's conduct, and cast most of the blame for his own actions on him. Ellice had hinted to him whilst travelling to London that Palmerston could be persuaded to take the Colonial Office, whilst there were reasons that made his return to the Foreign Office 'insurmountable.'⁽⁵⁷⁾ Looking to the state of public affairs, to the strained relations existing between this country and France and the United States, Palmerston's return to take control of foreign affairs might have exacerbated these relations.

On arriving in London that Monday they went to see Lord John. Russell was immersed in the problem of how he and his minority party were to carry out such a momentous policy as a change in the Corn Laws; to achieve success he needed support from Peel and his followers. He was convinced, however, that Peel would not favour immediate repeal, and had framed a plan which would avoid this.

(57) Grey to Ellice, December 27th, 1845, in the Grey-Russell Correspondence.

This plan aimed at opening the ports at once for some months, then re-establishing for some time modified protection, such as the imposition of a duty whenever the price fell under a certain figure such as 52 shillings. Grey was opposed to such a plan, and announced he never would agree to it, and that if the general meeting of the prominent men in the party, called for the following day, was merely to consider this, then there would be no use in his attending it. Russell stated that neither Lansdowne nor Palmerston, not to mention others, would consent to immediate repeal: Ellice supported Russell's view of the matter.

On Tuesday, December 16th, Grey wrote to Russell suggesting a little more communication with his friends before deciding to submit his plan to the meeting. Shortly after eleven o'clock that morning Grey was summoned by Russell. With Russell was Labouchere. Russell showed them two letters, one from Peel declining to have Russell's plan submitted to him, the other from the Duke of Bedford saying that if the Corn Laws were to be abolished ultimately, the farmers had no desire to be 'let down gently', and that any scheme such as the one suggested would not reconcile them to the measure. Grey and Labouchere pointed out how the necessity of opening the ports to foreign grain took away any pretence there could be for making the measure gradual; to place a duty on corn after opening the ports, would be to re-impose protection, not to continue it for a limited time. Nearly all those who came to the meeting agreed with this point of view.

By 1.30 p.m. the meeting was ready to begin. Russell had first some private conversation with Palmerston, then with Lansdowne; he then announced that if he formed a Government at all it would have to be one pledged to the total repeal of the Corn Laws. The majority accepted this decision. The meeting had then to decide whether Russell should accept the commission to form a Government; hitherto he had informed Her Majesty that he needed to consult his friends first before coming to a decision on this matter. Grey and Clarendon thought that before he accepted, some further explanation of Peel's intentions should be sought. It was decided that Russell should write to Her Majesty stating that he could not undertake the Government unless he could carry a measure of total repeal, but he understood that Peel and Graham did not favour this; if they had no 'insuperable objection' to total repeal, then Russell would accept a commission to form a Government. A sketch of such a letter was drawn up, to which the meeting gave its assent.

When Grey returned home from this meeting he wrote a letter to Russell giving the conditions on which alone he would consent to take office. This letter he posted the following morning, and on it much controversy was to rage. Grey began by emphasizing what a 'severe and doubtful battle' a Government under Russell would have on its hands, and that it was thus essential not to lose any strength by not filling offices to the best advantage. The letter continues:-

'You therefore really owe it to the cause, to yourself, and to

your friends, to allow no deference for the personal objects of others to interfere with your making the arrangement best calculated to secure for your government the largest possible measure of public confidence and support ... It is for you, and you only, to determine how the parts are to be cast, and it is only when you have done so that those whom you ask to join you will have the right of desiring to know the whole arrangement and of considering whether it is one in which they can concur.'

Grey subsequently claimed that this part of his letter was obviously a reference to Palmerston's personal preference for the Foreign Office, and was written as plainly as could be done with propriety. Russell claimed - and truly - that the reference was not obvious, that it was ambiguous, and that no personal preference dictated Palmerston's appointment to the Foreign Office, it was because Russell thought him the best man qualified for the post. To Russell, who was worried about his wife's health, about whether a measure on the Corn Laws could reckon on sufficient support, and by possible reactions in his own party against total repeal, such phraseology was not clear. In any case who was there with sufficient knowledge to take the Foreign Office if not Palmerston? The sole loophole by which Grey could justify his later action lay in the last sentence of the extract quoted.

Grey went on to declare that Russell would confer upon him a real favour if he could dispense with his services. 'The experience I have had of official life renders me most unwilling to enter

upon its toils and anxieties, more especially now, when a great deal of occupation of another kind has devolved upon me to which I could much more agreeably, and I believe not less usefully devote myself.' Grey's experiences in Melbourne's Ministry, many of whose members were still in the Whig ranks, and the attraction of his new estates, now made him unenthusiastic about office. Nevertheless, if Russell wanted him in the proposed Government he would not refuse 'provided, in the first place, that the administration was constituted upon the principle I have endeavoured to describe as regards the assignment of office to different individuals.'

He also made two further stipulations. The first that a Whig Government would boldly avow 'that the whole principle of what is called protection is essentially vicious and unjust... that it will be our object to get rid of all customhouse duties except those imposed exclusively with a view to revenue. Not of course that I would recommend having anything said that would pledge us to an immediate change of a great number of existing duties, but I would distinctly recognize the practical as well as the theoretical truth of the maxims of free trade.' The other point he made was the necessity of establishing complete religious equality in Ireland. (58)

On Wednesday, December 17th, Grey's views on Palmerston received further confirmation by a conversation he had in the Travellers

(58) 'Notes on the Greville Memoirs' by Δ E.H.R. Vol. 1. 1886, pp. 124-5.

with Sydney Herbert, one of Peel's close supporters. Unprompted by Grey, Herbert had said 'look sharp after your foreign policy,' and had then related how the foreign diplomatic representatives were horrified at the thought of Palmerston's possible return to the Foreign Office.

On the morning of Thursday, December 18th, Grey had a note from Cobden requesting to see him. Grey informed Cobden that if a Government were formed it would carry total repeal, 'but that it probably wd be necessary to add some pecuniary concession to the landed interest in local taxation, etc. to which as involving no concession of principle I thought they ought to assent.' Cobden demurred at this, but finally promised to make no more public utterances against such an arrangement.

Leaving Cobden, Grey went to a meeting at Russell's which was held at noon. There Peel's answer to Russell's letter was read; this was as satisfactory as could have been expected, and it implied that Peel had no 'insuperable objection' to total repeal. The meeting then divided on whether Russell should accept the Queen's commission or not. In favour of acceptance were Cottenham, Morpeth, Palmerston, Macaulay, F. Baring, Labouchere, Ellice, Hobhouse, Russell, George Grey, and Earl Grey. Against were Lansdowne, Monteagle, Clarendon, Auckland and the Duke of Bedford. Before this decision had been arrived at, there had been much desultory conversation. Grey gives one example of this, a proposal from Russell that as the party was very weak in the Lords they

should add Brougham to the Whig bench there; this is greeted by three exclamation marks in Grey's Journal, which then continues:-

'upon this I really cd not contain myself and said at once that he might do as he pleased about this but that for my own part no consideration on earth shd ever induce me to enter into any political connection with him so long as I shd live - Macaulay declared that he entirely agreed with me, and nobody supporting the proposition it dropped; as we came away Macaulay said to me, "well you have done a great service by putting an extinguisher upon Brougham if you never shd do another."

Grey left the meeting in company with George Grey, Labouchere and Macaulay. They talked about likely arrangements:-

'and particularly about Palmerston the notion of replacing whom in the F.O. everybody dislikes though as usual the whole odium of making the objection will I see be left to me.'

Macaulay suggested that Palmerston should have the Colonial Office with the lead in the Lords, being made a British peer. Grey thought the suggestion was a good one, but later reflection showed that the three Secretaries of State (Clarendon being the only possible person for the Foreign Office), would all be in the Lords. This would have been an impossible situation. Grey regarded himself as the third Secretary of State, 'I have no notion of being in office as anything else.'

Just before dinner on that same day he received an unsatisfactory reply from Russell in answer to his letter; to this he set about drafting an answer. Russell's letter was as follows:-

'My opinion on the points you mention is that free trade cannot be carried at once into all branches, and should be applied by degrees. But especially as regards sugar I would not expose the West Indies to equal competition with Cuba. I think 50 per cent advantage very fair while the one has slave labour and the other free labour.

As regards Ireland I would make the religions equal by levying a tax on Irish lands for the Catholic Church. Until they are themselves willing to accept it, I would propose no measure on the subject and resist all motions in the House of Commons.' (59)

On Friday, December 19th, Grey was visited by Ellice and George Grey. After Ellice had departed, George Grey was shown the proposed draft of the letter to Russell which he approved. At twelve o'clock there was a small meeting at Russell's. Previous to this meeting Russell had taken an important step, which he described as follows:-

'I saw Lord Palmerston at half-past eleven in the morning. He told me he did not feel any wish to come into office, as his habits were altered by leading a private life. But that the only office in which he would be useful was the Foreign Office, and if he came into the Ministry he would take no other...I then told him that he knew as well as I did the impression that had been made against him as a warlike politician; that I did not agree in that impression

(59) 'Notes on the Greville Memoirs' by Δ E.H.R.
Vol. 1. 1886. pp. 125-6.

and thought it unjust; that if he had thought it should so far be yielded to that he should take the Colonial Office. I was ready to agree. He said he thought that would be admitting the justice of the impression. I said in that case I would offer him the Foreign ^{Office} and no other. He agreed to accept it.' (60)

The meeting at Russell's had gathered to consider a paper submitted by Lord Lansdowne. This required as a condition of his taking office a pledge that a million pounds should be given for the relief of occupiers of land from local taxation. Grey noted that 'after much conversation in a modified way this was agreed to.'

Russell then saw members of his prospective government individually. When it came to Grey's turn, Russell asked him if he had been satisfied by his letter. Grey replied that he had written an answer to it, and then gave him verbally the gist of that answer:-

'saying if with this explanation he thought it indispensable that I shd be in I was ready to be so but thought he wd do much better for his Govt by excusing me. He said that he wished me to be in and I acquiesced provided the arrangements proposed were satisfactory.'

They then came to the arrangements which Russell detailed. Grey was to have the Colonial Office:-

'to which of course I said I cd not object though I was rather afraid to undertake it.'

Cotterham was to be Chancellor, Auckland was to have the Admiralty, George Grey to be Chancellor of the Exchequer, Baring to have the Home Office, and Palmerston the Foreign Office. He later mentioned Wood for the Mint, without the Cabinet. Grey said that to one of these appointments there was a very strong objection. Russell knew he meant Palmerston's appointment to the Foreign Office, said that he had already failed to get the latter to take the Colonial Office, and as it was a choice of him having the Foreign Office or none at all, Russell was determined not to give him up. Grey intimated his refusal to join a ministry with Palmerston in that position. Russell inquired whether Charles Wood would come in without his brother-in-law; Grey said that he certainly would not unless given a Cabinet post, to which Russell said that being as Grey was out there could be no objection to this, and that Wood could be President of the Board of Trade. So the conversation ended, with Grey under the impression that he was now not to be in the Government, but that Russell would construct one without him.

According to Russell's own account of the crisis, immediately after seeing Grey he called in Lord Auckland and asked 'if they could go on in the House of Lords without Lord Grey. He said he thought not.'⁽⁶¹⁾ Russell then sent for Ellice, and told him to go and speak to Lord Grey, and to tell him that he would not attempt to form a Government without him. Ellice's part in this affair is most disingenuous. He had been aware of Grey's objections to Palmerston, had deliberately fostered them, but had not

(61) 'Later Correspondence of Lord John Russell' (ed. Gooch)
Vol. 1. pp. 102-7.

apparently informed Russell as to how fixed Grey's determination was. Now he went to see Grey, and asked whether his decision was final. The Journal continues:-

'I said yes to which he answered then the whole thing must be given up "but I don't tell you you are wrong".'

Ellice apparently made no attempt to persuade Grey to alter his decision; after all he himself objected to Palmerston but professed to abide by Russell's decision, and he could have used the arguments which persuaded him to take this line to sway Grey.

He also, apart from that casual remark just quoted, failed to show Grey that Russell was in earnest when he threatened to abandon the commission to form the Government if Grey did not join him.

Ellice in a later letter to Russell showed that he too was among the Whigs who were relieved when the attempt to form a government failed; he seems to have deliberately refrained from acting as an efficient vehicle of communication between Grey and Russell, a rather strange fact when it is recalled that hitherto Ellice had acted as an efficient go-between among the Whig leaders for many years. (62) A less likely explanation is that Ellice and Russell decided that the time was not opportune for forming a Whig Government, and deliberately used Grey's obstinacy over Palmerston to make Grey the scapegoat for covering up this decision.

When later that day George Grey came and told his kinsman that Russell had in fact given up the attempt to form a government, Earl Grey was taken completely unawares:-

(62) 'Later Correspondence of Lord John Russell' (ed. Gooch)
Vol. 1. p. 98.

'the decision came upon me so by surprise and bewildered me so completely that I did not think of doing what I shd have done if it had but occurred to me, i.e. I shd have sent to Ld John to say that this was a result I had not contemplated as likely to follow from my refusal to take office, and if so very serious a consequence was to follow, rather than take upon myself the responsibility I was willing to refer the question as to whether P's going to the F.O. wd really weaken the new administration or not to those who were to belong to it - if they wd say upon their honour they thought not I wd submit my judgment to theirs, but in return I thought I had a right to ask that if they concurred with me Palmerston shd also declare his readiness to yield to their judgment and accept another office.'

Unfortunately he did not do this, but wrote a letter, with the one he had previously drafted enclosed, to Russell explaining the grounds of his objection to Palmerston.

The letter which he had drafted in reply to Russell's answered the points raised by the latter. Grey referred to his former letter to prove that he did not desire that a great number of protective duties should be changed immediately.

'With regard to the sugar duties I differ from you as to what ^{ought to} ~~might~~ be done. I last year spoke and voted for their being immediately equalised. I still think this would be the right thing to do, and if I have to express any opinion at all upon the subject it must be this; but in the House of Lords these subjects

are seldom discussed and not being in any office immediately connected with trade and finance... I should have no difficulty if the cabinet should so decide, in acquiescing for the present at least, in making a less complete alteration of the sugar duties than I think would be wise in itself.'

He felt more difficulty with respect to Ireland; the religious question was there in such a state that he, if he were an Irishman, would never submit to it. Grey had long favoured applying the property of the Established Church for purposes of general instruction, and in the Melbourne period of office had been the last to acquiesce in dropping this policy in the face of determined opposition by the Lords. (63)

The letter written to Russell on the Friday night after Russell had thrown up his commission is the only one of Grey's letters to his political chief to mention Lord Palmerston specifically:-

'There were other parts of your proposed arrangement which certainly did not, in my opinion, entirely fulfil the condition of being framed without regard to personal considerations.... but to these I did not advert, and it was undoubtedly on the proposed appointment of Lord Palmerston to the foreign office that my objection rested.'

Grey was careful to stress that there were no personal objections involved, but he stated that 'justly or unjustly, both friends and

(63) 'Notes on the Greville Memoirs' by Δ E.H.R. Vol. 1.
p. 126-7.

opponents regarded with considerable apprehension the prospect of his return to the foreign office....' He believed that Palmerston's appointment, and the bitter feelings which existed between him and leading foreign diplomats, might have increased the danger of war. Therefore he wished to see Palmerston accept an office of equal rank, the Colonial Office, which Grey would have surrendered to him, though he would not possibly have had or desired the Foreign Office in exchange. He concluded:-

'I believe there is not one of those who were to have been our colleagues, who does not think that his taking a different office would have been a very great advantage.'

The debate then turned upon Russell's contention that Grey had only informed him at the last minute of his insurmountable objection to Palmerston, and that his letter of the 16th did not make this objection clear. Grey in return contended that the tenor of his letter of the 16th was obvious, and that in any case Ellice, who had been in close touch with Russell, was perfectly aware of Grey's views. (64)

That Grey must bear the greatest blame for what happened is clear. If others who disliked Palmerston's return to the Foreign Office were yet prepared not to object, why should Grey have taken it upon himself to go a step further? After his experiences in Melbourne's Ministry over the dismissal of Glenelg, the transference of Normanby to the Home Office, and the like, one would have thought he would have been more cautious in acting a similar

(64) 'Notes on the Greville Memoirs' by A. E. H. R. Vol. 1. 1886, pp. 129-131

part again. His resignation in 1839 had given rise to strained relationships with some of the Whigs, and fresh currency to talk of his innate impracticability; the two themes occurred again as a result of his action in this matter. Again there is much validity in Russell's charge that Grey was late in making his objection against Palmerston known; Grey's letter of the 16th was not as unambiguous as he claimed it was, though true he had always insisted as a condition of his acceptance of office approving the other arrangements made. He certainly never intended to wreck Russell's chances of forming a Government; he never for a moment believed that Russell would refuse to go on without him or else he would have modified his outlook, but the fact remains that by his unfortunate conduct he was the occasion for the failure of the Whig attempt and upon him fell the odium.

We have already shown in what way part of the blame falls on Edward Ellice. Russell too is not entirely free from blame. Was Grey so indispensable that a Whig Ministry could not be formed without him? At the end of his interview with Grey on the 19th Russell gave him the impression that he could form a ministry without him; according to Russell's account this view was changed by what Auckland said. Russell and Grey had never returned, and were never quite to return, to that cordial friendship existing between them at the start of the Melbourne Ministry; the circumstances leading to Grey's resignation in 1839, Grey's opposition in 1840 and 1841 to the Whig Ministry, his campaign for free trade

in company with noted Radicals, plus Grey's suspicions of Russell wishing to do everything himself and to engross power for himself and a group of subservient friends, had created a certain amount of distrust between the two, and this distrust played its part in Russell's decision to surrender his commission; for example, writing to Lord Lansdowne, Russell stated:-

Grey was 'the only one besides Cotterham in your House who was zealous for taking office. Out of office he would have excited or supported the Opposition, as he did in regard to Lord Melbourne's Ministry in 1840, when he carried the second reading of Stanley's Irish Disfranchisement Bill. Thus it became hopeless to go on.' (65)

Russell was at the time also distracted by personal private worries; Morpeth attributed Russell's precipitate action in throwing up his commission 'a good deal to his being in a state of great nervousness and anxiety about Lady John from whom he had received on Friday a letter in a very melancholy tone about herself. He was so overcome on that evening in talking to Morpeth about her and about what had just happened that he burst into tears.' (66)

Russell, however, seems too easily to have surrendered to the difficulties that beset him; he consulted only Lansdowne, who had never liked the idea of repealing the Corn Laws, before deciding

(65) 'Later Correspondence of Lord John Russell' (ed. Gooch)
Vol. 1. pp. 98-9.

(66) Journal, December 20th, 1845.

to give up the attempt to form a government. In the first sentence of the extract of a letter sent to Lansdowne and already quoted, a more potent reason than any yet mentioned for abandoning the attempt is given. Many of the Whigs were lukewarm about the prospect of taking office while yet a minority and meddling with the Corn Laws; after all it was not certain that the Whig Party itself would not split upon the issue. If there was to be a shattering of party unity let it be the Tories who were to suffer. In the published correspondence of Russell there are a series of letters addressed to him at this time from Ellice, Minto, the Duke of Bedford, Lansdowne and Fox Maule, and all express themselves as relieved that no Whig Government was formed, whilst at the same time reviling Grey as the cause of the failure.

Charles Wood was another who was not surry that the attempt had failed. He did not reach London from Yorkshire until Saturday, December 20th. Had he been in London all along it is conceivable that he could have persuaded Grey to abandon his untenable position and adopt a more conciliatory attitude. As it was he thought Grey was clearly in the wrong; indeed he had by letter attempted to dissuade Grey from making any objection to Palmerston. To Wood, Russell complained of Grey's conduct:-

'As for Howick he must be Prime Minister or nothing, and even then I should not like to be his colleague. But I do justice to his honest intentions; he has been mistaken. Mistrusting me, as he evidently did, he ought to have told me so at once, and then I could have considered without his presence whether it were

possible to go on. To raise one difficulty after another, and then at the last moment to produce one which was insurmountable, was not fair treatment.' (67)

Grey was in the deepest disgrace with his political associates. He had a mite of comfort from a dinner with Baring, who was glad the attempt had failed, though not of the way it was brought about. His impression of the meeting on the Friday as a preview of future cabinets had like Grey's been unfavourable, and he complained about not being consulted on several points because he was not 'one of J.R's men' (68) On December 24th, Grey returned to Howick:-

'I found Maria in terrible low spirits about all that has happened, apprehending from it the alienation of private friends whom we shd be particularly sorry to lose.'

Reports from London were not encouraging; a letter from Ricardo spoke of the strong feeling against him in Brookès's and in the party generally, whilst Macaulay wrote a public letter in which he bluntly stated:-

'All our plans were frustrated by Lord Grey. I hope that the public interest will not suffer.... On my own share in these transactions I reflect with unmixed satisfaction... I told Lord John... that he should never be disturbed by any personal pretensions or jealousies on my part. If everybody else had acted thus, there would now have been a Liberal Ministry.'

(67) 'Later Correspondence of Lord John Russell' (ed. Gooch)
Vol. 1. p. 102.

(68) Journal, December 22nd, 1845.

Wood attempted to console his brother-in-law who now feared that private friendships would not survive the incident. Wood told him that eventually all would be forgotten, but till 'the smart of the past is worn off' Grey would be advised to stay out of town. When Parliament met, and the Whigs had been acting together in opposition, Grey would automatically eventually find himself back in the fold. At the same time he warned Grey that more weight had been given by the episode to 'the imputations of impracticability, which, has before been made on your conduct in council.' He also noted:-

'I am afraid that you deceive yourself in thinking that even those who agree with you in the objection to Palmerston at the F.O. also agree with you in the length to which you carried the objection.'

He also had to combat in Grey a legacy from the latter's father, the idea that a man divorced from political party, an independent, could play an effective part in Parliament. In this crisis of his career Grey was toying with the idea of trying the role of the independent, unbiased statesman, taking no office but exercising an influence over public opinion in Parliament. Wood pointed out this would have evil results with regard to Grey's 'utility to the public', and his 'comfort in going thro' life.' He emphasized that no one in English history had achieved enimence by such conduct:-

'It is in this country the condition of a man's taking a

prominent place in parliament that he should be ready to take office and act with others, if required.... A representative Govt is essentially a Govt of party... and if you will insulate yourself permanently from any party, you are destroying your own influence on the public, your own power of doing good, and are, I fear, affecting injuriously your comfort in the society of those whom you would be most happy in being with.... All experience shows how impossible it is for any person permanent in politics, and taking an active part not to be, occasionally at least, in very dangerous opposition, if he is not in the Govt; and we also know by experience what a dangerous thing to a Govt an opposition on the flank is. It is needless to point out how infinitely your sphere of usefulness is enlarged by the possession of power. Do you suppose that all you ever would be able to do for the benefit of our colonies by your scheme of exercising an influence on public opinion would be equal to what you might have done by your power as Colonial-Secretary in a single year ?' (69)

This was extremely sound advice; it was only when Grey neglected this after 1852 that he sank into political impotence. If he had followed Wood's advice throughout his political career he may have been more widely known by future generations than in fact he is.

In January, 1846, Grey was back in town, and on the 23rd of that month noted that he had called at Brooks's,

'the first time I have ventured to shew my face there.' The breach was in process of being healed.

(69) Wood to Howick, Dec. 27th, 1845, and Jan 2nd. 1846.

G. Acceptance of Office, 1846.

January 1846, saw Earl Grey back in Parliament, this time in the House of Lords, of which he did not have so high an opinion. Compared to the Commons they were 'much less intelligent an audience'.⁽⁷⁰⁾ Their debates were also far shorter in point of time, and their Lordships rarely took the business of politics so seriously as did the other house; a proposal to adjourn over the day of the Derby was objected to by Grey as 'indecent', yet it was carried overwhelmingly.

Relations with other Whigs gradually became as before December, 1845, much to Grey's relief. On May 3rd, he met Palmerston for the first time, and had an amicable conversation on trivialities with him. On May 16th he noted:-

'...went to Ly Palmerston's in spite of very heavy rain wh wd have prevented my going to any other house.'

Yet there still existed a degree of coolness between Grey and Russell.

In the 1830's Grey had at times observed in his Journal how much better a liberal ministry would be under Sir Robert Peel, than any one which could be constructed under Russell. Grey had long believed that of the two Peel was the superior statesman, and his opinion of Russell had suffered a continuous decline since the close of the 1830's. He, therefore, agreed with an article in the 'Spectator' of May 24th, which pointed out Peel's superior qualifications for the headship of a liberal government:-

'It put into my head many visions as to the advantage of a Peel

(70) Journal, January 26th, 1846.

liberal Govt, in wh Ld J. shd be offered a place but which on his refusing (as he wd do) a good many of us might join...'

On June 2nd, whilst talking to Wood, Grey discussed the probable composition of a Whig ministry, it being obvious that Peel's would not long survive. Such a ministry he believed would be 'sadly wanting in weight and consideration in the country'. On this account he was tempted 'to try and set in motion some means for bringing about what I think the really desirable consummation of a coalition govt with Peel at its head.' Grey had not learnt his lesson ! Scarcely was he once more within the good graces of his Whig friends than he contemplated a move which would have produced further alienation and bitterness. Fortunately for Grey's private friendships he never attempted at this time to put his idea into practice.

At the same time he was considering his own political prospects. Charles Wood had a rather rosy vision of these:-

'he thought it very likely I might in 3 or 4 years be called upon to form a Govt myself - this is not impossible, but most earnestly to be deprecated as I know how little I shd be equal to the task - I might indeed by possibility be of use in forming some kind of coalition govt headed by either Peel or Lord John, my being at the head myself wd never do.' (71)

It was fortunate that he so realized his limitations, for the chance of being Prime Minister was never to come his way. From

(71) Journal, June 3rd, 1846.

what has already been said about Grey, it will be realized that he would never have had sufficient tact for that post; self-will and obstinacy may be very well for times of crisis, but not for the day to day running of an administration in times of calm.

On the night of June 25th there was a majority against the Irish Coercion Bill in the Commons. The expected had occurred; Peel had fallen. The only other choice, leaving the aside the protectionist Tories, was a Russell Government. The Whigs were a minority party in this Parliament, but with the support of Peel's part of the former Tory party they would be able to maintain themselves, even if their position was deplorably weak. Grey had no expectations of being offered a post in the new Government, and was, therefore, surprised to receive a visit from Russell on the morning of June 27th. It was soon clear, however, that Russell brought no offer with him. Speaking of the difficulties that lay before him, Russell said he hoped to form a Government 'which wd probably stand till the beginning of the next session'; he then stated that he agreed to a great extent with Grey's sentiments on policy as expressed in his letters of December last, but thought that they ought to be accomplished more gradually than Grey apparently envisaged. Referring to Grey's personal position, he reverted to December and showed that then the latter had spoken of certain 'difficulties' which made him non-enthusiastic about office; Russell believed that these difficulties had been increased by recent events, he did not think it impossible that he and Grey

should ever be in office together again, but thought that it was better that they should not be for the present, for one thing after the recent objection to Palmerston, it might seem strange that they now became two of the Secretaries of State. Grey in his Journal thus commented on Russell's observations:-

'This was said with many pauses...I wd not help him in any way by saying a word or giving the slightest sign of assent or dissent while he was speaking, but waited in silence till he had concluded, when I said very shortly that I agreed with him in thinking it better I shd not come into office, and that it wd be much more agreeable to me to spend the winter in Italy as I had intended.'

The awkward part of the conversation over, Russell proceeded to discuss some of his arrangements. He remarked that Baring had declined taking any office and had recommended Wood as Chancellor of the Exchequer; on this point Russell asked Grey's opinion. Grey stated that Wood was the next best choice to Baring, but that nobody could really take the latter's place. Russell agreed as to Baring's talents, but stated that he did not easily agree to any proposed modifications of his measures. At this point Grey's suspicions of Russell again came to the fore:-

'which I construed (perhaps unjustly) to mean that Ld John did not wish him to come in because he had found him too independent in his opinions and conduct.'

Finally Russell spoke of the necessity of persuading some of Peel's supporters to join the Government.

Nevertheless Russell had not placed a final veto on Grey. The latter might not be an easy colleague to work with, but he possessed undeniable talents, and was the acknowledged expert on colonial affairs. Then there was the old bogey as to what Grey might do if left out; in the Lords, where the Whigs were numerically weak, he was a prominent figure, and could cause damage to the prospective Government if ever he opposed it. The Whigs were so short of talented men that it was not politic to leave any of these out of the Government.

Yet Russell had had experience of working with Grey before, and it was by no means a pleasant remembrance; since that time Grey had done nothing to endear himself in Russell's eyes. Russell's dilemma is neatly summed up in a memorandum of Prince Albert's, written after seeing Russell at Osborne House:-(72)

'Lord Grey was still a difficulty in or out of office he seemed to be made a difficulty. It would be desirable to have him in the Cabinet if he could waive his opinions upon the Irish Church. His speech in the House of Lords (on the 23rd March, Grey had contrasted the poverty of the Roman Catholic Church in Ireland with the affluence of the Established one there) at the beginning of the session had done much harm, had been very extreme, and Lord John was decidedly against him in that. Lord Grey knew that everybody blamed it, but said everybody would be of those opinions

(72) 'The Letters of Queen Victoria' (ed. Benson & Viscount Esher) 1907. Vol. II. p. 98.

ten years hence, and therefore he might just as well hold them now. Mr Wood, having great influence with him might keep him quiet, and so would the Colonial seats, as he would get work enough. About Lord Palmerston, he is satisfied, and would no more make any difficulty.'

Charles Wood was pressing for Grey's inclusion in the Government. Russell informed Wood that he personally was not opposed to Grey coming in, but that he feared there would be difficulties in Grey's relations with other members of the Government; second thoughts convinced Russell that perhaps such difficulties were capable of being overcome. He, therefore, allowed Wood to sound Grey as to whether he would accept office if it were offered him. This Wood did; he also acquainted Grey with the fact that Russell had already communicated with Peel on the possibility of some of the Peelites joining the Government. This in accordance with Grey's opinions of the necessity of a coalition between Whigs and Peelites rather than a weak Whig Government being in power, was calculated materially to induce him to accept office. He believed that the only thing remaining for Russell to do to ensure as strong a Government as he could possibly form, was to offer Cobden a Cabinet post; he was decidedly in favour of this, but was prepared to acquiesce in the view of Wood and others that such an offer was impossible. As for the Irish Church, Grey could not press for a measure for which public opinion was not yet prepared, more especially as there was no question of a coercion bill being applied to Ireland. He no longer held any objection to Palmerston

as Foreign Secretary. (73)

That same day Wood wrote to Russell to inform him as to the results of his talk with his brother-in-law:-

'I..said that there was no use in his coming in unless he meant to make things go smoothly, and that if matters were to be as they were towards the end of his time with Lord Melbourne, he had better stay out..... he felt the necessity of making the machine work easily if he came in. He felt the separation from all his friends very much if he was not included. He and George Grey are coming to dine here today quietly; and I think that you may reckon on its being extremely probable that he will take the Colonial Office if offered.' (74)

The dinner at Wood's ended in Earl Grey authorizing the former to say that if an offer were made to him he should be prepared to accept it. Grey's reasons given in his Journal for this decision were the belief that he might do some good in office, that if he remained out something might arise which would cause coolness between himself and his friends, and the fact that the differences with the United States had been settled so that there was no longer the danger of a war over this question (this latter reason seems to have been added as an afterthought, Grey had learnt by this time the hopelessness of objecting to Palmerston being at the Foreign Office.)

(73) Journal, June 30th, 1846.

(74) 'Later Correspondence of Lord John Russell'
(ed. Gooch) Vol. 1. p. 108.

On July 2nd, Wood called and desired that Grey would be available at 12.30 p.m. that day, and afterwards summoned Grey to him a little before that time. Wood then informed him that he had been summoned by Russell, and that if he so wished he could bring Grey with him. Wood thought it best that he should go alone at first; he soon returned with the news that Russell would see Grey at 2 o'clock. At that time Grey, accompanied by Wood, had his interview with Russell:-

'the interview between us was awkward enough and not much was said, however enough to make it distinctly understood that I accepted the Colonial Office...'

That night he was summoned to his first Cabinet, where the offers to the Peelites and their refusal was discussed, and the question of whether Cobden should be offered the Cabinet. At the end of the day Grey was satisfied with his position, being especially pleased by the way in which people had received news of his appointment.

On July 4th, he settled the question as to who was to be his Under-Secretary at the Colonial Office. The post lay between Buller and Hawes, and the latter was appointed. Grey would have preferred Charles Buller, but the latter became Judge Advocate, with an understanding that he was to assist in colonial matters. On July 6th, the new ministers received the seals, and Grey devoted that evening to his first box of colonial papers.

On the same day Prince Albert recorded how the Ministry was

by no means united; the differences he listed did not augur well for a strong Government, or for the future:-

'Mr Wood and Lord Clarendon take the greatest credit in having induced Lord Grey to join the Government, and are responsible to Lord John to keep him quiet, which they think they will be able to do, as he has been convinced of the folly of his former line of conduct. Still, they say Lord Lansdowne will have the lead only nominally, that Lord Grey is to take it really in the House of Lords. There is the Grey Party, consisting of Lord Grey, Lord Clarendon, Sir George Grey and Mr Wood; they are against Lord Lansdowne, Lord Minto and Lord Auckland and Sir John Hobhouse, stigmatising them as old women. Lord John leans entirely to the last-named gentlemen. There is no cordiality between Lord John and Lord Palmerston, who if he had to make a choice, would even forget what passed on December last, and join the Grey Party in preference to Lord John personally.'

(75) 'The Letters of Queen Victoria' (ed. Benson & Viscount Esher). Vol. II. p. 101.

Chapter 5. Grey at the Colonial Office (1846-52)

A. Position in the Cabinet and his relation with colleagues.

When Grey became Colonial Secretary he had reached the zenith of his political career. If he is remembered at all today it is for his colonial policy, to which whole books have been devoted. He was probably the most prominent man to hold that post in the nineteenth century until it was given to Joseph Chamberlain. During his stay there, colonial business swelled, became more before the eye of Parliament and public, and assumed a greater prominence than ever before.

When Russell informed Prince Albert that if Grey took the Colonial Office he would have 'work enough' he proved correct in his forecast. Entries in the Journal like the following are typical:-

'A very busy day at home and at the Colonial Office.'

'Got home rather late for dinner and almost immediately after it set to work again and finished my box at 1¼.'

'... to the Colonial Office as usual where my business is rather running into arrear.'

'Maria went to see Rachel in Phedre... I staid at home working through a heavy C.O. box.' (1)

There were constitutions to be drafted for the Australian and New Zealand colonies, and for South Africa. Questions of free trade, transportation, emigration were endless. He was badgered by various

(1) Journal July 25th, 27th, August 11th-12th, 1846.

bodies eager for colonization or for protection of aborigines. Each colony or group of colonies had their own specialist problems; the West Indies were worried about cultivation, markets for their produce, and a chronic lack of labour; in Canada he introduced responsible government and anxiously watched it at work; native wars and frontier problems confronted him in New Zealand and South Africa, whilst in the latter there was the additional problem of the Boer trekkers. A revolt in Ceylon, another in the Ionian Islands, piracy off the coast of Labuan, obstruction of the Government in British Guiana, all these varied problems, and many more, awaited Grey's attention. Then he was also Secretary of State for War, and all the problems of disposal and organization of the armed force, and of defence, were theoretically supposed to be in his province.

One sure indication of the weight of work under which Grey laboured is to be seen in his Journal, the entries for which become increasingly cryptic and less regular. Entries like the following are by no means infrequent:-

'... during this last fortnight I have had so much to do that I have not been able to attempt keeping up this journal.' (2)

Finally entries cease on May 2nd, 1851, and are not resumed again until March 6th, 1852, when Grey gives a brief retrospective glance at the missing period and its events. The miracle is that with so much work confronting him he managed to keep up his journal for so long as he did. The contrast with the 1830's is striking.

(2) Journal, February 27th, 1847.

Then Grey made himself acquainted with the general business of Government, drafted measures outside War Office business, and took a prominent part in Cabinets; then his Journal was a wealth of detail on Cabinets and on his colleagues. The 1830's were stormy years for Grey; the more active he was the more did he come into conflict with his colleagues, and the more unpopular he became. In Russell's first ministry the tale is different. Grey immersed in Colonial Office work had practically no time for subjects divorced from that, and was often unaware of what was happening in other departments of the Government. So far from being in active ^{and} attendance at Cabinets, he now grew reluctant to attend many as they might draw him away from work. In addition, he had inherited a certain amount of caution based on experience in the 1830's, and refrained from interfering in the policies of other Departments. The result is that his relations with his Cabinet colleagues were calmer, and his Journal is not spattered with adverse opinions on them. It was altogether a happier, more fruitful period of office than his tenure of the Secretaryship at War had been. It was only towards the close of the Ministry's period of office, that the old note of discontent became more prominent, and his opinion of Lord John Russell drastically alters for the worse. The main thing that concerned Grey was how to find sufficient time to complete his multifarious tasks, one result of which was a determination to waste less time dressing in a morning, and for a while the Journal is abounding in entries like

'up at 8.10 not dressed till 9.33 !!!'

Though references to Cabinet disputes, and opinions of his fellow ministers, are few, the six years do witness a growing deterioration in his relations with Russell, and also a continuing preoccupation with Palmerston's activities at the Foreign Office. When Grey entered the Government he resolved, remembering December, 1845, to avoid the subject of Palmerston's management of foreign affairs, but Palmerston had a knack of ensuring that this resolve was not kept, though often Grey's absence from Cabinet led him to be ignorant of recent hair-raising activities into which Palmerston had plunged.

On February 12th, 1847, Grey looking at the 'Morning Chronicle' came across an article giving an account of a rupture between Normanby, the British ambassador to France, and Guigot. In the article was an extract from a dispatch by Palmerston which had only been written the previous day; this proved to Grey that the 'Morning Chronicle' was undeniably connected with the Foreign Office, and that, considering the tone of its articles, such a connection was injurious to the Government, and even more so to the country as a whole. Grey believed that it was not impossible that a feud between Palmerston and Guizot would drag both countries into war, and his entry for that day concludes ominously:-

'I begin to think I must interfere.'

However, the storm passed, and Grey did not interfere, though he heard from Wood fresh tales of Palmerston's activities:-

'...Palmerston... has got into another foolish mess in Portugal;

having written to say that he wd direct Sir W. Parker to make reprisals if two horses that had been taken possession of for the war by the Portuguese authorities though they had been previous (sic) bought by the agent of some Englishman were not restored ! (3)

In November, 1847, Grey in conversation with Russell and Palmerston cautiously expressed himself against the policy being pursued in Spain, 'but', as he wrote, 'Palmerston though it is clear no one member of the Cabinet likes it is obviously determined to persevere in it.' (4) Grey's doubts as to the wisdom of our Spanish policy came to a head in the spring of 1848, when Bulwer, the British ambassador, presented a dispatch to the Spanish Government, 'recommending in the most insolent manner a change of policy,' to which the Spaniards returned a most contemptuous answer. Palmerston was attacked in the Lords by Stanley over this affair. Grey found himself in agreement with Stanley's censure. Whilst attending this debate he took the opportunity of reading the whole correspondence connected with the incident, and was 'perfectly disgusted' with Palmerston's dispatches, the last of which he discovered had been sent against Russell's desire. This last piece of information he learnt from Russell himself:-

'I expressed to him my opinion - though not half so strongly as I feel it that he shd not allow such things to be done - I must say it is a very lamentable weakness on his part - had P.

(3) Journal, March 2nd, 1847.

(4) Journal, November 5th, 1847.

played such a prank in my father's administration he wd have been dismissed without ceremony, nor can I conceive any prime minister submitting to such conduct without requiring it to be so punished.⁽⁵⁾ Grey was rather surprised that the incident did not lead to the destruction of the Government or to the retirement of Palmerston; the latter would have given him 'infinite satisfaction'. As it was, he felt compelled to write to Russell on the subject, warning him that if a motion of censure was made in the Lords against the Government over this matter, he would not be able to defend Palmerston's conduct. He was convinced that Russell did not understand how serious the incident was:-

'If this line of policy ... had been approved by the Cabinet, it wd of course have been the duty of every member... including those who might have differed... but had acquiesced ... to have now supported what has been done. But... the subject never was brought before the Cabinet,... I and most of the members of it, first saw the objectionable despatches in the newspapers ... if the question had been submitted to us we shd most of us (I believe including yourself) have entirely disapproved of the adoption of such a tone towards an independent Govt ... it has been obvious to me for many months (and I have repeatedly expressed the opinion I entertained to you and entreated your interference) that he (Bulwer) has been acting in a manner wh I consider altogether unbecoming the character of the minister representing a foreign

Govt in an independent country.' (6)

The year 1848 closed with Grey vigorously protesting against a scheme of Palmerston's for blockading the Brazilian ports to force the country to execute her anti-slavery treaties. (7) The opening month of the new year saw a further serious indiscretion committed by Palmerston. In September, 1848, one of the Ordnance contractors applied to the Ordnance Office to have returned to him some large cannons he had just cast for them, as he could get a large price for them from the provisional Sicilian government; when Palmerston heard of this, he gave permission for the guns to be returned. The 'Times' then came out with an article saying that the Sicilians had been assisted to obtain arms. When Grey asked a question about this at a Cabinet, Palmerston asserted that the story was entirely false. On January 15th, he learnt from Russell what had in fact occurred, whilst he soon found that a regular official letter from the Foreign Office sanctioned the whole business. On January 18th, Grey wrote a long letter to Russell, which was in effect an appeal to dismiss Palmerston from the Foreign Office. He pointed out how injurious it was to the character of this country that whilst attempting to act as a mediator between Naples and Sicily Britain should be supplying arms to the latter, all without the knowledge of either Prime Minister or Cabinet. As Grey saw it, Russell had two alternatives, either

(6) Grey to Russell, May 27th, 1848.

(7) Journal, December 7th, 1848.

to defend the policy adopted by Palmerston (in which case he ought first to seek the assent of the full Cabinet) or to disown that policy, and as a concomitant to this dismiss Palmerston. At the same time he explicitly stated that he himself did not mean to take any steps in the matter:-

'It will of course be utterly out of my power to take any part in defending these proceedings in the H. of Lords if they shd there come under discussion, but beyond abstaining from doing so I do not mean to interfere at present. When, after much doubt as to what I ought to do, I decided upon accepting your offer and joining your administration as it is now constituted, notwithstanding what had occurred six months before, I did so with the determination that I wd not be the person to originate resistance in the Cabinet to the foreign policy ... if I cd possibly help it, and that I wd bear much, rather than leave the Govt on account of what might be done in this department.

It appeared to me that what had previously taken place wd have made my acceptance of office improper had not this been my resolution... I wish you distinctly to understand that in writing this letter I do not mean to take upon myself the responsibility of bringing before the Cabinet any question as to the manner in wh the foreign Department has been conducted ... any step that you may take must be grounded upon your own judgement not upon my suggestion. I make this observation because I cannot forget that just 10 years ago a very painful responsibility wh did not

I think fairly belong to me was thrown upon me by the course wh
 led to Ld Glenelg's retirement from Ld Melbourne's administration. (8)
 At a Cabinet meeting on January 23rd, Russell propounded his
 solution to the problem; he undertook to treat the whole thing
 as an 'inadvertence' ! To this Palmerston agreed. Not so Grey:-

'There was then some vague discussion in wh I was to the last
 degree disgusted by the apparent insensibility of the Cabinet to
 the gravity of the case and to the disgraceful figure the Govt
 will make in pleading "inadvertence" ... I endeavoured to treat
 the matter somewhat more seriously, and to show how bad a position
 we shd be placed in, but nobody backed me.'

After the Cabinet was over Grey sent for George Grey and Wood and
 said that in consequence of the latest decision, he could not
 remain in the Government. George Grey and Wood attempted to dis-
 suade him, as did Hawes when he was informed. At last Grey con-
 cluded that his resignation was a step 'wh might at least be
 deferred.' In the evening he wrote a long letter to Russell;
 this he deferred sending until the following day. Wood was against
 sending it, but the least Grey would do was to modify its tone.
 On the 25th he had some conversation with Russell, as a result of
 which Grey announced his acquiescence in the course determined
 upon, rather than perhaps to take upon himself the responsibility
 for the breaking up of the Government, but he was far from happy

(8) Journal January 15th and 17th, 1849.
 Grey to Russell, January 18th, 1849.

about the whole business. In an audience with the Queen on the 31st he expressed his disapprobation of the whole episode. Yet the parliamentary opposition failed to take advantage of the weakness of the Government's case, and the incident was a further example of Palmerston's luck.

Grey's own department took up so much of his own time and energy that he did not play any important part in subsequent disputes between Russell and Palmerston. He describes how it was with 'great surprise' that he heard, whilst out of town, of the final rupture with Palmerston.⁽⁹⁾ By the time Grey returned to London Palmerston was out of office. Of course there were no regrets on Grey's part that Palmerston had finally been dismissed. He might have been less pleased if he had known of some of the arrangements Russell had contemplated when Queen Victoria and Prince Albert had pressed upon him the necessity of dismissing the Foreign Secretary. In March, 1850, Russell had mooted the dismissal of Palmerston, and his replacement at the Foreign Office by his own father-in-law, Lord Minto - this seems to give some substance to Grey's charges about Russell favouring a clique who held themselves entirely subservient to him - a choice which surprised the Queen, who had been expecting that Lord Clarendon would succeed Palmerston. Among the re-shuffle of offices that would take place at the same time, Grey was to get the minor

(9) Journal, March 6th, 1852.

and sinecure post of Privy Seal. (10)

Grey's relations with Russell were more complicated. He simply disliked Palmerston; with Russell he verged from dislike to friendship, passing through a variety of stages. As we have seen, however, his friendship with his political leader had suffered several severe jolts by 1846, and for these, as we have seen, both were in some respects to blame.

The first mention of difference with Russell occurs in the early months of 1848 when Grey refused to agree to a plan brought forward by Lord John for the organization of the militia. Further sniping against Russell followed in subsequent entries in the Journal; for example, Grey was very doubtful as to the necessity of Russell going out of town, simply because he had a bad cold. (11) In April there were arguments as to the best ways of conciliating Ireland, the 'Grey party' supporting Wood's view of the matter, and Lansdowne and Palmerston backing Russell. (12) By August of that year the Government's affairs were not going well, and Charles Wood for one was eager to leave office, 'thinking and I am sure with reason that we are not equal to the extreme difficulties with wh we have to contend, the principal fault being in our chief. (13)

(10) 'The Letters of Queen Victoria' (ed. Benson & Viscount Esher) Vol. II, p. 279.

(11) Journal, March 4th, 1848.

(12) Journal, April 9th, 1848.

(13) Journal, August 15th, 1848.

Witnessing the debate in the House of Commons on Baillie's motion for a Committee of Enquiry on the Crown Colonies, Grey was disgusted by Russell's conduct:-

'Ld John showed the most utter want of the conduct of a leader that I ever beheld I cannot say how struck I was with his want of presence of mind and decision....'

From Charles Wood the following day, February 21st, he learnt that this was how Russell usually managed the House of Commons, and Grey concluded that he ^{had} 'wonderfully altered for the worse as leader' since he had last been in the House of Commons under him. When Russell brought forward his scheme for an extension of the franchise at a cabinet in November 1850, Grey was one of those who opposed it.

One of Grey's major concerns had been to see the Government placed upon a stronger and firmer footing, and it was in attempts to achieve that aim that Grey's opinion of Russell was lowered. Grey continued to press for the inclusion of Cobden within the Cabinet; in October, 1847 he pressed upon Russell the advantage there was in offering the Chief Commission^{er}ship of the Poor Law as a Cabinet post to Cobden; Russell, however, informed him that the Queen and Lord Lansdowne, both objected to such an arrangement. (14)
The following April, he heard that Russell, to conciliate the Irish Catholics, was contemplating taking Shiel, one of the Irish Radicals, into the Cabinet; this was greeted in the Journal by

three exclamation marks, and described as an 'insane project' which if realized would lead to Grey's resignation. (15) An offer by Russell to Graham of the Admiralty in January, 1849, a move this time approved by Grey, was refused by the Peelite.

By 1850 the Government was growing weaker, and was sustaining a number of defeats in the House of Lords. An expected defeat on the Don Pacifico incident was transformed into a triumph largely as a result of Palmerston's great speech; Grey, however, could not help wishing that Stanley with the Peelites could have formed a Government, which would have left the vital question of re-imposing protection an open one in the Cabinet. As it was the Russell Government was being forced to consider the position of the House of Lords; a Cabinet in August 1850, discussed whether life peerages ought not to be created, and Grey remarked in his Journal:-

'My belief is that the actual condition of the House of Lords is becoming a most serious evil and one that will require a far more decided remedy.' (16)

This was a conviction he had held in the 1830's and is but one more example of the tenacity of Grey's opinions.

Up to the beginning of 1851 Grey's relations with Russell, apart from the critical comments above mentioned (in many friendships a normal state of affairs), had run pretty smoothly, but in that year they began to deteriorate. On the night of February 20th,

(15) Journal, April 27th, 1848

(16) Journal, August 15th, 1850.

the Government was defeated on Locke King's motion for extending the right of voting in counties to ten pound householders. Russell announced his intention of resigning. Stanley was reluctant to attempt the formation of an alternative Government until other attempts had been made. Russell, therefore, attempted to form a new Government with the help of the Peelites, but failed, and eventually Stanley set about the task. When it seemed as though Stanley's attempt would fail, Grey wrote a paper on the means which Russell ought to take to strengthen his administration if re-established. The aim of this paper was to show that it was useless to look to establishing a junction with Sir James Graham and his friends and that the support of the Radicals was not to be relied on; the alternative was to conciliate the more moderate of the agricultural party who were without leaders in the House of Commons whom they could trust. The support of the county gentlemen would give the Government what it most needed, more votes. By a policy aimed at conciliating the county gentlemen, eventually a new party would be created headed by Russell, opposed to which would be a 'decided democratic party led by Mr Cobden (evidently Grey's views on Cobden had changed) and probably Sir James Graham.' The way to win over the county gentlemen was to modify the Government's financial proposals, especially by a reduction of income tax. Russell thought that this particular paper contained much that was valuable, but that its precepts were not practicable at present. Grey urged his plan at a meeting of the Whig leaders

on March 3rd, but nothing came of it, and the Government, its composition as before, returned to power. (17)

The next time when a change in the composition of the Government was raised was upon the dismissal of Palmerston. Grey suggested that it would be desirable to offer the vacant office to a House of Commons man, but could only think of Graham, and the proposal was 'universally scouted.' He was afterwards annoyed that he had not thought of saying that the post ought to be offered to those whose support it might be necessary in the future to apply. In his retrospective view of the situation he noted:-

'It is obvious now that a very great mistake was made in filling up this office so hastily and that ... Ld John ought to have communicated with Sir J. Graham and Ld Aberdeen on the principle of entirely reconstructing the Govt.' (18)

Grey, out of office, looking back at the past, detailed other attempts to strengthen the Government at the end of 1851 and the beginning of 1852. Russell applied to the Duke of Newcastle and his friends, including Gladstone, 'but this was not done very well,' and Russell, in Grey's opinion, 'sadly mismanaged the negociation.' The entry in the Journal continues:-

'At this time he had sundry strange schemes about strengthening the Govt. Amongst others he wrote a letter to Ld L. (Lansdowne)

(17) Paper of Greys (Copy of one sent to Russell on February 27th) March 3rd, 1851. Russell to Grey February 28th.

(18) Journal, March 6th, 1852.

which he desired him to show me saying that though my colonial policy had been what he called excellent still in consequence of the run made against me it might be desirable that I shd be moved to another office, that G.Grey on account of his health had better go out for the present, and he therefore suggested that I shd take the H.O. and Labouchere (!!) the C.O. Ld L. showed me this letter... and I found it rather hard to keep my countenance however I only said that I was quite ready to go out altogether but that I did not think it was possible for me to change to another office on the ground of the run against my colonial policy since that wd involve an admission that the censure was just. In this letter a good deal was said about Ld Lansdowne's own retirement Ld John ... rather acquiescing more than I thought wise in Ld L.'s wish on this subject. About this time Ld John wrote to G. Grey...(in answer to a letter he had received in wh G.Grey with reference to the desire to strengthen the Govt had said as we all had that Ld John was at full liberty to dispose of our offices) saying that while he was very sorry to lose his assistance he thought that on account of his health it might be advisable for G.G. to retire for the present and that this wd have the advantage of making "a Grey less in the cabinet" - This was not a very gracious way of writing to a person from whom Ld John has received the assistance he has from G.Grey.' (19)

One can imagine the annoyance Earl Grey felt on reading the last undiplomatic phrase of Russell's just quoted.

(19) Journal, March 6th, 1852.

In January 1852 Grey strongly pressed upon Russell that the need for reconstructing the ministry was urgent, and that he ought to consider with Graham in what manner the strongest possible administration could be formed without respect to existing arrangements. Most of the Cabinet agreed with this view, and to this Lord John eventually consented 'reluctantly enough.' According to Grey Russell conducted this latest negotiation in a manner that could 'obviously lead to no result.' Immediately before Parliament re-assembled the Cabinet were informed that Maule was to succeed Hobhouse, now Lord Broughton, at the India Board, and that the War Office had been offered to Cardwell, which offer, being the only one made, was declined by the Peelite. Eventually Vernon Smith, who had declined the War Office without the Cabinet, accepted it with Cabinet rank. This measure Grey believed to be 'injudicious' and 'justly offensive' to Hobhouse, who had consented to his office being offered to Graham or to other outsiders for the purpose of strengthening the Government, 'but it was a very different thing to take it from him for the purpose of conferring it upon a person so much junior to himself in office as Maule, and who was already in the cabinet. The first information too wh Hobhouse received that this was contemplated was in a letter from Ld John telling him that the Queen had approved of Maule's appointment to the I.Bd. and that he had accepted it.' The result, according to Grey, was as follows:-

'... we met Parlt with the administration greatly weakened

instead of being strengthened, a result partly owing to the great mismanagement of Ld John but more to his determination to engross all real power to himself and to resist any changes which shd bring into the cabinet any persons on whose entire subservience he cd not reckon. In this unwise course he was much encouraged by Minto ... it is quite clear that Ld John's jealousy of sharing his authority with others was at the bottom of the difficulties opposed to any substantive change. I warned him that the consequences certainly would be the overthrow of the administration.'

Another topic on which Grey and Russell differed towards the close of the Ministry was the subject of reform. Grey always held that the 1832 Reform Bill ought to be considered in the main as a final settlement of that vexed question; that is what his father had always impressed upon him, and that is what he stood out for in the 1830's. By 1851 he was prepared for modifications in the provisions of the 1832 Bill but not for its virtual abandonment in favour of a new Bill. His feelings on the subject are well expressed in a letter which he wrote, but did not send, to Wood on November 7th, 1851. In this he stated that he would oppose any Government which brought forward a new reform bill relying for allies upon such people as Cobden and Bright, yet without their support such a measure would be impracticable. Russell by pledging himself on the subject had created a dilemma; instead of taking Grey's advice and attempting to strengthen himself from the conservative ranks of the county gentlemen, he had brought forward

'that abortion of a reform bill.' Grey announced that in the present state of the country he would be no party to a new reform bill; he had consented to Russell's attempt at reform because, to Grey's regret, Russell had committed himself on the subject in the House of Commons, and because he had always considered the existing state of the representation to be open to serious objections, which would have been diminished if the measure proposed had been carried, 'which without disturbing the balance of parties and the distribution of political power among various classes of the community wd have obtained the object of giving their fair share of power to different classes by means less anomalous and irregular than those by which this is now done.' But Russell's bill had aroused no strong support. The alternatives now present were to be content with the present system, or to carry some extensive change after a struggle on the scale of 1832, and of course Grey was in favour of the former. In the then temper of men's minds he believed that any reform would be for the worse:-

'What people are looking to are changes by which the franchise wd be extended - small boroughs disfranchised and additional members given to large towns and counties. Now such measures as these, taken by themselves, wd be a mere advance of a few steps in the road towards making the House of Commons a representation of the population according to numbers, than which I can conceive nothing more dangerous, or more mischievous... the House of Commons is now a representation of all classes in the community ...

The result is arrived at by irregular and objectionable means but it is the right result. If the views of our present radical reformers were carried into effect the whole House of Commons wd be practically returned by one class.'

Although Grey could not see it, these were identical arguments used by the opponents of the Whigs in 1832, and which that party had then decried.

February, 1852, brought about the demise of the Government. On February 20th, Palmerston carried an amendment concerning the Government's militia bill; Russell at once intimated to the Commons his intention of resigning. Grey was severely critical as to Russell's conduct in this matter:-

'... I think Ld John was wrong in so hastily announcing his intended resignation without giving his colleagues an opportunity of expressing an opinion on the subject; he was still more obviously wrong in allowing a division to take place at $\frac{1}{2}$ past 8 in a thin house when I have myself no doubt that had the debate been kept up for a couple of hours longer and proper pains been taken to bring down our friends a majority might have been secured.'

Grey was further annoyed that the Government had resigned before a scheduled debate on South Africa had taken place, in which he had hoped to have his policy vindicated, 'otherwise,' he wrote, 'matters have been so mismanaged and the government I am bound to say conducted so feebly and inefficiently that it was high time we were turned out.' He cited the disputed militia bill as an example of

this last contention; it was in 'a most crude and indigested state,' the heads of the bill had never been submitted in print to the Cabinet, which had only heard them hastily read over, the measure was 'a very bad and useless one,' and no one understood it (least of all Russell.)

In the process of surrendering the seals of office, Grey had a long conversation with the Queen, in which he intimated very freely his opinion of Russell. Grey thought that Russell instead of spending Christmas at Woburn ought to have digested his measures, and he announced that he would never again have the same confidence in Russell as heretofore.

Thus Russell's first ministry came to an inglorious termination, with Grey's opinion of the Whig leader at zero, and a determination on Grey's part that he would never have the wish to hold office in such a ministry again, more especially if it flirted with those elements which desired more political reform in the direction of the dreaded democracy.

B. Re-organization in the Colonial Office.

Grey's tenure of the Colonial Office is noted for important legislation affecting the colonies, but like all good administrators Grey was also concerned with putting his own house in order, in short he was constantly seeking for ways to make the overworked Colonial Office a more efficient body. In December, 1846, he was already discussing the state of the Office with Stephen and Hawes,

and for the next three years part of his time was occupied by considering various schemes of reorganization. (21)

The need for such reorganization became more imperative in the autumn of 1847 when Stephen, surely one of the best known and ablest civil servants to grace the nineteenth century, desired to retire from his post as Under-Secretary because of illness. Thereafter Grey was concerned with two things, how to secure a recompense to Stephen for his long years of devoted service over and above the pension assigned to him, and how to employ him in a capacity which would ensure that his knowledge of colonial affairs would still be available for the assistance of the Secretary of State. Stephen - made a Privy Councillor and knighted - was eager for further employment; he disliked the prospect of being idle and of no further use in public affairs and moreover found himself in financial difficulties. Much of the correspondence between the two men after 1847 is concerned with schemes for securing some form of re-employment with a reasonable salary for Stephen, whose worth as we already know Grey readily recognized.

At the end of October, 1847, Stephen placed his resignation in Grey's hands. Grey announced that he would not accept it immediately, but would give Stephen leave of absence for six months, appointing for that time an Assistant Under-Secretary to take his place. If Stephen's health did not improve sufficiently to enable him to return to his old post, Grey would attempt to

find other employment for him, for example on the Judicial Committee of the Privy Council. (22) This led to a misunderstanding between the two men in 1848; Stephen saying that he had only resigned on condition that he had something in addition to his pension as Under-Secretary of State, Grey saying that Stephen had resigned solely on the ground of ill health, and that whilst he had attempted to secure further employment for Stephen, he had by no means guaranteed to be successful in this. However, this misunderstanding was not allowed to shatter the friendship between the two, and relations were soon back to normal.

The man recommended by Stephen to succeed himself was ~~Heman~~^{erman} Merivale, Professor of Political Economy at Oxford, who in that capacity had delivered a series of lectures on colonization. Grey had thought of offering the vacant post to James Spedding, who had already had experience of working within the Colonial Office; Russell, however, doubted whether Spedding would answer, and it was in fact Merivale who succeeded Stephen. (23) In November of that year Grey made T.F. Elliot, the Chairman of the Colonial Land and Emigration Board, an additional Assistant Under-Secretary, and T.W.C. Murdoch, Elliot's successor. Buller's cousin, Strachey, was at the same time made precis-writer.

When Stephen was sworn in as a Privy Councillor at the end of October 1847, he and Grey had discussed a more fundamental reorganization of the Colonial Office than a mere change of places;

(22) Grey to Stephen, October 30th, 1847.

(23) Russell to Grey, October 17th, 1847.

Grey thought some of Stephen's ideas were admirable.⁽²⁴⁾ To assist the Secretary of State in coming to decisions and to take some of the work off his own shoulders (which with Stephen's retirement, would no doubt vastly increase, at least until the new men became more experienced), it was decided that a Colonial Commission, with the people at the Land and Emigration Board being the ordinary officials, but having the power to summon Privy Councillors or men with specialist knowledge whenever they deemed it convenient, should be established. This step, which Stephen had in fact suggested to Russell seven years previously, Stephen believed would be by the press ascribed to the extinction of his own 'sinister influence' in the Colonial Office.⁽²⁵⁾ Grey's main reason for deciding to adopt some of the provisions of Stephen's plan was to bring able men into the Colonial Office without having to call them Clerks of the First Class, for wuch were jealous of the introduction of new men who had not risen regularly, as Murdoch, who had been away in Canada and then made a Clerk of the First Class, had but too much reason to know, as none of these over whom he was supposed to be placed would submit to being under his authority; if there was a well selected body of Clerks in the Office equal to the duties they had to perform, Grey would not have adopted the suggestion of a Colonial Commission.⁽²⁶⁾

(24) Journal, October 30th, 1847.

(25) Stephen to Grey, November 10th, 1847.

(26) Grey to Russell, November 7th, 1847.

Russell refused to agree to this suggestion; the Board he thought would merely perform the tasks the chief clerks ought to do, and if the latter were inefficient the clearest remedy was to dismiss them. He had no objection to Grey having two Assistant Under-Secretaries and five chief clerks but not a Colonial Commission. As for a suggestion that reports on the state of the colonies should be submitted to Parliament, he believed that the whole workings of an office cannot with benefit to the public be submitted to the eyes and ears of the whole public of Europe, Asia, Africa and America. (27) Some months later, Grey did in fact take some steps to secure a more efficient body of clerks for the office, by introducing the procedure adopted in the War Office, that clerks were to be appointed at first only on trial, their appointment being confirmed after receipt of a favourable written report from the senior official under whom they had been placed, and also from the permanent Under Secretary, showing that they had the requisite industry and intelligence to be good senior clerks when they rose to that position. (28) With Russell, Wood and Charles Buller opposed to the idea of a Colonial Commission, and with Hawes doubtful, Grey dropped the whole scheme.

In March, 1848, Stephen suggested reviving the Committee of the Privy Council for Trade and Plantations as a consultative body on colonial affairs. Grey accepted the suggestion, and

(27) Russell to Grey, November 13th, 1847.

(28) Grey to Russell, January 25th, 1848.

decided to refer a few particular cases to it in the first instance, and then if the experiment was successful, refer colonial questions to it at his pleasure; unfortunately it would be difficult to secure to Stephen any financial remuneration for services he might render on that body, but Grey promised to attempt such at a favourable moment.⁽²⁹⁾ This suggestion was acted upon in April, 1848, when the Committee for Trade and Plantations was revived.

The death of Charles Buller in November, 1848, was a further loss to Grey. Buller, one of the 'colonial reformers' and a believer in the latest theories of colonization, was a link between Grey and that body of men, and his knowledge of colonial problems made him an invaluable assistant to some of the work of the Colonial Office.

In 1849 Stephen suggested a further degree of reorganization which would enable the Colonial Secretary to derive further assistance in his work. The Committee for Trade and Plantations was in effect a branch of the Board of Trade; Stephen suggested making it virtually a separate body with its own records, and with a President of its own when neither the President nor the Vice-President of the Board of Trade were able to attend its sittings. The man suggested for the Presidency was Sir Edward Ryan, a lawyer and a Commissioner of Railways. The power of co-opting Privy Councillors and non-Privy Councillors (Assessors) on special

(29) Grey to Stephen, March 1st, and 4th, 1848.

occasions was to belong to the new body.⁽³⁰⁾ Grey would have preferred Stephen as a President, but realized that this was impractical because of 'the unjust odium' which was attached to his name; in fact the whole idea was chiefly valuable to Grey as a means of securing Stephen's services, which 'would be of more real use than the whole of the rest of the arrangements.' Stephen as a member of the proposed body would remain disengaged from other avocations (his colleagues having other work to perform), and would in consideration of a remuneration digest the results of the deliberations of the Committee and produce draft reports; if Stephen had no fixed position on the Committee he would not be able to give his assistance more than occasionally when it was convenient for him, nor would it be right to expect him to do otherwise.⁽³¹⁾

Russell was not enthusiastic about the plan. It was adopted partly by Grey to avoid the imputation that he was solely responsible for the legislation concerning the colonies (Grey had been attacked severely on several occasions by both Tories and colonial reformers), but Russell believed that there was no way of sharing responsibility:-

'...Labouchere told me that in the committee on the Australian Constitution, the Members felt bound to waive their opinions, when they differed from yours. Such must in fact be the position

(30) Memo. by Stephen, October 12th, 1849.

(31) Grey's Remarks on Stephen's Memo of Oct. 12th, 1849, and 'Draft of a Paper to Lords of Committee for Trade and Plantations,' Memoranda on Colonial Office, Colonial Papers.

of the Secretary of State.'

Nevertheless he was prepared to adopt the plan without Stephen which of course in Grey's eyes was equivalent to destroying it altogether. According to Russell the House of Commons would be reluctant to see Stephen maintain any further influence over colonial affairs. (32)

Grey complained bitterly about Russell's unfavourable verdict with regard to Stephen. He pointed out how severely impaired the Committee for Trade and Plantations was when Stephen was not present, and cited an example to prove this; there were then (December 1849) two subjects concerning South Africa before the Committee, and both needed to be discussed and the measures to be taken decided upon before Parliament met. Yet when Grey had wished to call the Committee for this purpose, Labouchere could not come, and there were present only Ryan, Lord Campbell and Hawes (who was not a member of the Committee). This was not sufficiently attended to be of much use, and because of the commitments of members there was no opportunity of another meeting until very near the meeting of Parliament. Nevertheless the two topics had been discussed and agreement reached as to the general purport of two draft reports which were to be drawn up. But Grey could find no one willing or able to undergo the labour of drafting such reports. Sir Edward Ryan would only undertake to draw up something on the strictly legal part of the question of the Orange River Sovereignty. The result

(32) Russell to Grey, September 22nd, 1849, October 20th, and December 12th.

was that Grey was left the task of drawing up both reports, one on the form of representative government to be given to the Cape, the other on the Orange River Sovereignty; as far as he was concerned the Committee in this respect was 'perfectly useless,' and he contrasted the state of affairs with what had happened the preceding year when Stephen had taken part in discussions on the Australian constitutions. On that occasion Stephen wrote the draft report, and it was an admirable performance. If Grey had to write a similar report on the Cape, to do it properly it would take him at least two or three whole days doing nothing else, and of course he had such a mass of current business to deal with that such was impossible. He thought that the objections to Stephen carried little weight; he was willing that the appointment of Stephen in some permanent capacity on the Committee should be considered as a charge upon the Colonial Office; it would be well worth paying £500 a year to secure the aid of his knowledge and ability, and in any case Stephen was miserably provided for by his pension considering the number of years of his service. Grey concluded:-

'I must ... remonstrate against your decision as one injurious to the public and unfair by me.' (33)

The response from Russell was an acid one:-

'... when we gave you three Under Secretaries instead of two, I was in hopes that you would have had one of them capable of

assisting you in such cases. If Mr Merivale cannot I should think he and Fred Elliot together might ... Stephen is not immortal.. (34)

Grey replied that both his Under-Secretaries were fully occupied, and that drafting the report on the creation of a constitution at the Cape was a subject 'somewhat foreign' to their special lines. (35)

Russell remained firm in his decision, and Grey had perforce to acquiesce, though he believed that the loss for much of the time of Stephen's services from the Committee detracted greatly from the uses of that body. He continued, however, to consult it from time to time, though later Colonial Secretaries discontinued the practice.

C. General Principles behind Grey's Colonial Policy.

Grey's tenure of the Colonial Office witnessed the final demise of the old conceptions of Empire yet existing in parliamentary statutes. The final vestiges of the Navigation Acts were swept away, and the concept of a closed Empire based on reciprocal commercial advantages was at an end.

This fact of the destruction of the old commercial policy necessitated in Grey's view a complete change in colonial policy. The object of having colonies for the purpose of benefiting by a commercial monopoly was at an end. Previously Britain had levied a tribute on the industry of the colonies, in return providing them

(34) Russell to Grey, December 18th, 1849.

(35) Grey to Russell, December 20th, 1849.

with protection; to secure this same monopoly Britain had exercised a certain amount of control over the internal government of the colonies.

With the end of the old imperial system various public figures, both protectionist and free trader, had argued that as the old advantages of possessing colonies had gone, and that as the colonies had freedom of trade, and (in the case of the more important ones) a great deal of freedom in the management of their internal affairs, Britain had no further use for colonies. Such people argued that this country could derive equal or greater trade benefits from the colonies if they were independent, whilst being saved the expense of maintaining naval and military establishments on a global scale.

Grey had some very potent arguments with which to answer such critics. For instance he believed that Britain still derived great advantages from the possession of colonies; much of her power and influence amongst other nations derived from her having world wide colonies:-

'It would surely be considered to add greatly to the strength of any nation to possess a number of steady and faithful allies in various quarters. But no alliance between independent States can be so close and intimate as the connection which unites the Colonies to the British Empire as subjects of a Common Sovereign.'⁽³⁶⁾

'...I conceive that the power which this country possesses

(36) Printed Memo on 'Colonial Policy and the State of our Colonies', January 7th, 1850.
Colonial Papers.

carries with it a responsibility of the highest kind, which we are not at liberty to throw off. The authority of the British Crown is at this moment the most powerful instrument under Providence of maintaining peace and order in many extensive regions of the earth, and thereby assists in diffusing amongst many thousands or rather millions of the human race, the blessings of Christianity and civilization.'

He painted a doleful picture of what would happen in various parts of the world if Britain were to abrogate this responsibility. In the West Indies strife would result between the whites and the coloured peoples; in Ceylon the native population would not submit to the rule of a handful of whites not backed by the power of the British Empire; there would be wars in South Africa and New Zealand between settlers and natives without the presence of the restraining influence of the British Government; on the west coast of Africa the slave trade would once more revive. Judged from a more selfish aspect would not the saving of expense by the withdrawal of British rule bring about the destruction of British property and 'the annihilation of lucrative branches of our commerce,' if, as he envisaged, bloodshed and anarchy were in some areas to follow once British officials and troops had withdrawn? At that moment those peoples who under British tutelage were emerging from barbarism provided a market for many British goods, but such markets would disappear and barbarism would again be prevalent if settler and native were left to fight and squabble over the land. Nor would difficulties exist merely in those areas with a large

native population; it was quite possible that the Australian colonies would get into difficulties with each other (perhaps Grey envisaged the erection of tariff barriers between state and state, or disputes about their extent and the possession of tracts of land).

The colonies too gained by the continuance of British rule.

While they were yet weak and small communities in possible danger of being swallowed up by an ambitious foreign power or destroyed by the native races, they were protected by one of the greatest powers in the world. They had all the advantages of being British subjects, in such capacity being everywhere entitled to the protection of the Mother Country. British rule was mainly for the benefit of the colonies themselves not for that of the Mother Country; Britain only sparingly exercised an influence in the internal affairs of the colonies, and only then for such purposes as preventing any one colony from adopting measures injurious to another, moderating internal differences and assisting the colonies eventually to govern themselves, and guiding a population too ignorant and unenlightened to manage its own affairs.

He ridiculed the charge of the colonial reformers that the Empire was ruled from Downing Street, and challenged them to produce something more than vapid criticisms:-

'... it would be very desirable that those who so loudly assert the necessity of Colonial Reform would point out upon what other principles they think that power should have been used; a clear explanation of their views upon this point, and of the real nature

of the system they would establish, seems to me to be greatly wanted. I should be glad to know in what respects that system would differ from really making the Colonies independent, and at the same time leaving to this country the responsibility of protecting them.'

There were two main ways by which the authority of the Home Government was exercised, stated Grey. One was by the appointment of Governors, which was the most important way, since it largely depended upon the Governor's ability, as to whether a colonial administration failed or succeeded. The great care Grey took in the appointment of Governors can be seen in his correspondence with Russell (who exercised a more active supervision over all departments of his government, except perhaps the Foreign Office, than Lord Melbourne had ever done), where the claims and abilities of various men desiring to become Governors were discussed in detail. On the whole Grey had a great deal of success with his appointments in this respect; if he chose a Torrington (who was in any case not first choice for the governorship of Ceylon), he also chose an Elgin and a Barkly. No political differences were allowed to stand in the way of getting the best man for such an important post. Lord Elgin's political affiliations certainly did not incline him towards the Whigs, and Barkly, eventually Governor of British Guiana, was one of the foremost opponents in the Commons of the Government's West Indian policy. If he appointed Conservatives, he was also not afraid where the occasion seemed to

require it, to appoint men of a Radical background, witness the appointment of H.G. Ward to be Governor of the Ionian Isles (one of Grey's less successful appointments).

It was the duty of the Colonial Office to exercise a more vigilant supervision over Governors in those colonies where those officials were not checked by any Representative Assemblies. This did not sanction a policy of 'vexatious interference.' The Governors of Crown Colonies were to be supported as long as they maintained the confidence of the Colonial Secretary, and recalled as soon as they lost that confidence; it was the duty of the Colonial Secretary to prescribe for such Governors the general lines of policy to be pursued, leaving to them the details of that policy. The Colonial Secretary also had to attend to complaints made against Crown Colony Governors and their measures. One of the main objects to be pursued in all Crown Colonies was that of gradually preparing the colonists for eventual self-government.

In those countries with large civilized populations and Representative institutions, little interference on the part of the Home Government was required. The function of the Colonial Office should in such cases be restricted merely to giving advice, or (very rarely indeed) disallowing 'ill-considered and hasty measures,' whilst maintaining a supervision over imperial interests as distinct from the internal self-government of the colonies:-

'... Since I have had charge of the Colonial Office, the policy which has been acted upon has been that of giving the very utmost

liberty to Colonial Legislatives in matters affecting only their internal interests, so much so, that laws which have appeared to me highly injudicious have been left to their operation...'

This power of sanctioning or disallowing measures, and occasionally prescribing measures for adoption, is the second way in which the Colonial Office has influence in the colonies. The great thing about this power, however, was the way in which it was sparingly exercised. Even in the West Indies, where racial antagonisms led the Governors and the Colonial Office to play more active parts than in other colonies enjoying representative institutions, the proportion of measures eventually disallowed was exceedingly small.

An old charge, still repeated in some quarters, was that the colonies were retained for purposes of patronage. This Grey denied by showing that the Colonial Office had little say in the disposal of patronage, as practically all offices were disposed of by the Governor to residents in the particular colony. The chief patronage of the Home Government lay in the appointment of Governors:-

'which is rather a source of embarrassment than otherwise, since the advantages of these appointments are not such as to make it easy to induce those whose services would be most desirable to accept them, and those who are unequal to the duties are frequently recommended in a manner which it is difficult to resist.'

As for the expenses of military protection, Grey announced it to be his aim gradually to establish the principle that colonies could only look to the Mother Country for help when faced by dangers

from foreign powers. In such places as Malta or Bermuda, where the fortifications and military establishments were more important for imperial interests rather than the interests of those particular colonies, it was right that the Home Government should bear the burden of maintaining them. Elsewhere, however, the local authorities ought to make provision for the accommodation of Imperial troops, and provide for their own police forces and for forces necessary for maintaining internal tranquillity. This principle could only be enforced gradually, and adjusted according as to whether the colonies could bear a larger share of providing for their own military protection. (37)

What a modern ring has much of the preceding theory ! How different from the views of Colonial Secretaries of the earlier part of the century, and how different from those of Stanley with his fears of introducing responsible government in Canada. Russell was far less 'modern' in his conception of the position of British Colonies. Grey, however, believed in educating the colonies in the principles of self-government. Nor did he fear, as did many of his contemporaries, that the slackening of British control in the colonies would necessarily mean a slackening in the ties which bound them to the Mother Country. There was also the feeling which is by no means dead today, a benevolent unselfish paternalism, which maintained that the British in certain areas of the world

(37) Printed Memo on 'Colonial Policy and the State of our Colonies'. January 7th, 1850.
Colonial Papers.

had a duty towards more primitive peoples, a duty which sought to fit these peoples for Western civilization and all the advantages which to Grey seemed to accrue from that, a duty not to abandon them to the unscrupulous policy of colonial assemblies. The Colonial Office in Grey's time may not always have realized his ideals, but the intention was there, and though he aroused opposition from colonial reformers and colonists who wanted to be rid of all the trammels of the Colonial Office, even if the result should be chaotic, Grey never swerved from his ideals. His views on the lands he administered were far loftier, far more human, than those of the Cobdenites who sought to reduce every question to the common denominator of pounds, shillings and pence.

D. The North American Colonies.

In a work of this scope it is obviously impossible to deal in great detail with Grey's policy with regard to each colony; that has been done far more thoroughly in the book by W.P. Morrell, 'Colonial Policy of Peel and Russell', and in Grey's own book, 'The Colonial Policy of Lord John Russell's Administration.' Nevertheless the main outlines of that policy as it concerned each colony or related groups of colonies can and ought to be given. We have seen some of Grey's theories on colonial policy, now let us look at the practice.

One of the oldest and by far the most important group of our

colonies were those in North America; these comprised Canada, New Brunswick, Nova Scotia, Prince Edward's Island, and occupying a rather isolated position on its own, Newfoundland. Grey was to be responsible for encouraging the foundations of another, British Columbia, when he gave the Hudson's Bay Company a Charter for the settlement of Vancouver Island though that area remained very thinly settled until the gold rushes of 1858 led there hordes of fortune-seekers. (38)

Of these North American possessions the largest and most important was Canada (the old provinces of Upper and Lower Canada). It was also the colony where political institutions were developed at their highest. Prominent men in Canada were advocating the adoption of party, that is 'responsible' government; that is to say that the Governor was to take his ministers from the dominant party in the Assembly, as did the King in Britain itself. The Conservative Administration of Peel had attempted to resist this doctrine. If responsible Government were adopted in Canada, that country, so it seemed, would be to all intents and purposes an independent one in which British influence would shrink to nothing. Imbued with the ideas of an outmoded colonial policy the Conservatives shrank with horror from the thought of responsible government. Their Governors-General, Bagot and Metcalfe, were instructed to resist the demand; on no account were they, if the dominant party

(38) 'Colonial Policy of Peel and Russell'. W.P. Morrell. 1930. Chapter XVII, pp. 444-6.

in the Assembly were the French one and its allies, to accept the principle that they must choose their ministers from it, the Government believing that those who were the least loyal to the British connection were to be found in that party; what it did not realize was that stubborn resistance to Canadian demands would create that disloyalty which it so feared. Both Bagot and Metcalfe found ^{it} ~~it~~ extremely difficult to carry out the demands of the Home Government; Metcalfe had had to assemble an Executive Council which did not possess the necessary influence in the country, and to have recourse to a dissolution when as a dying man he left Canada, his place being taken in the meantime by Lord Cathcart.

It was at this juncture that Grey took over the Colonial Office. Unlike his predecessor, Grey had no prejudices in the case of Canada against responsible government. Indeed as we have seen he regarded the goal of all colonies to be self-government, and what better way to achieve this than to allow the party system to be adopted in Canada? Nor did he have any great fears that the result would be a weakening in the British connexion, ultimately resulting from the separation of Canada from Britain and the Empire. Grey was convinced that the majority of Canadians did not desire such a separation, even if they did, how could a whole population be coerced to follow a different line of policy save by the negative and destructive employment of military force, which solved no problems and was not even sure to succeed. The Canadians through the wishes of a majority of their representatives had

requested party government and Grey thought it wise and just to concede this request. It was his conciliation policy of the 1830's adopted to changed circumstances and based on less disputable grounds.

A good Governor was required to put this momentous change of policy into operation, and fortunately for Grey the man was at hand. On hearing of the defeat of his political associates Lord Elgin placed his Governorship of Jamaica at the disposal of the new Government, though Grey was desirous that he should retain it. On July 21st, 1846, Elgin paid Grey a visit; Grey's impressions from this are briefly recorded in his Journal:-

' ... I had a long visit from Lord Elgin whose conversation struck me very much. I am sure he is a very able man indeed.' By August 3rd, he had obtained Russell's permission for offering the Governorship of Canada to Elgin, who accepted it. Before the end of that year, Elgin - having married Mary Lambton, Durham's daughter - was ready to set out. From that time onwards until the close of the Whig Ministry the most ideal relationship and co-operation existed between Elgin and Grey. Grey had chosen his Governor and had prescribed the general lines of policy the Governor was to pursue, he now wisely gave his entire confidence and support to Elgin, and was ready to take the opinions of the man on the spot even when sometimes they conflicted with his own. The story of Canadian affairs is thereafter dominated by the figure of Elgin, but let us not forget the man who originally chose him and who gave him free rein, and who defended him and his policy

against calumniation in and out of Parliament. Ironically enough it was to be a Conservative Ministry which was far less wholehearted in supporting Elgin's measures and general policy.

Even before Elgin had left for Canada having been informed of Grey's views on responsible government, those same views had already been made known in a despatch addressed to Sir John Harvey, Governor of Nova Scotia, and dated November 3rd, 1846. It was not long before they were put into practice; the election of December 1847 left Elgin's conservative ministers in a minority, so he had recourse to Baldwin and La Fontaine, those leaders of the now dominant party in the Assembly whom Metcalfe had stigmatized as disloyal to the British connexion. Grey was even prepared to see Papineau included in the new ministry, if the leaders of the dominant party in the Assembly should insist on this. Responsible government had been introduced into Canada, and as the years passed the fears of some who had opposed its introduction were shown to be groundless.

Not all of Grey's colleagues were so confident about the future of Canada and about the goodwill of the French (the rebels of 1837) towards a continuing British connexion as he was. At the end of 1846 Grey had decided to withdraw two regiments from Canada, and the reduction of the force there had been carried out. In 1848, Russell wished to see a further regiment sent to Canada; he feared that with the close of the United States' war with Mexico, and the establishment of a republic in France, there might be 'an outbreak of the disloyal French against British rule.' (39) Grey replied

(39) Russell to Grey, Marchrd 1848.

that he was against such a step, and that he was hopeful not despondent as to Canada's future; the only purpose more troops could serve would be if war were declared against the United States, or to coerce the Canadian people, which was 'utterly impracticable if we wished it.' Loyalty to Britain could not be bought by bayonets, it came from the goodwill of a contented people.⁽⁴⁰⁾ Russell was not easily convinced, he still believed in a loyalist party who needed the heartening backing of British bayonets to swing the population to a determination not to sever their relations with Britain:-

'People argue, and you among many others, as if a million and a half of people were like one man, who wished for British rule, or were against it. But the truth is that if a million are for British and a half million for American connexion, the half million will soon get the majority on their side if they are active, combined, and zealous, while the opposite party are discouraged by the apathy, coldness, and indifference of the Home Govt. Whereas if the Home Govt shew themselves friendly and determined the half million may in a short time be reduced to 100,000.

It was the fault of Stephen that instead of being Under Sec. for the Colonies, he was more Under Sec. against the Colonies. If we cry stinking fish, it is no wonder our customers are few.'⁽⁴¹⁾ It is difficult to see what Russell hoped to accomplish by his

(40) Grey to Russell, March 14th, 1848.

(41) Russell to Grey, March 16th, 1848.

proposal; there were rumours of a war with the United States, but relations with that country had momentarily improved. In any case his fears proved groundless, and history has shown that Grey took a less exaggerated, more rational view of the position.

In a printed memorandum of February, 1849 (intended for circulation among the Cabinet), Grey outlined the instructions given to Elgin as to how responsible government was to operate:-

'It was to be his object to govern ... the province in the strictest conformity with the constitutional principles which we are accustomed to respect in this country; he was to act generally upon the advice of his Executive Council, and to receive as members of that body those persons who might be pointed out to him as entitled to be so by their possessing the confidence of the Assembly. But he was not in any way to identify himself with the party from the ranks of which the actual Council was drawn, but was to make it generally understood that if public opinion required it he was equally ready to accept their opponents as advisers; and that with a complete oblivion of all past contentions he would act with perfect impartiality towards the various individuals who took an active share in public affairs, without regard to their national origin or party, uninfluenced by any personal preferences or objections. This policy Lord Elgin has acted upon with the greatest ability and success.'

The memorandum then referred to the policy of responsible government with regard to Nova Scotia and New Brunswick, where 'the practical

exercise of the power of self-government so far as regards their internal affairs seems to have had a most happy effect in rendering British connections more generally valued by the population.' (42)

The same memorandum then castigated 'a certain class of politicians' who stated that the North American colonies were a mere incumbrance and charge to this country. Grey pointed out how calamitous it would be if Canada were to be swallowed by the United States:-

'Looking to the natural resources of these provinces, to the wealth they are so fast accumulating, and especially to the harbours they possess, and their commanding position in case of a naval war, I should regard it as most seriously endangering our security as a nation, if this great accession of power were to be obtained by the United States at our expense; and I presume no one doubts that if at the present time these provinces were to be separated from the British Empire, they would be necessarily swallowed up in the Union. Hence I think some credit may fairly be claimed by the present Administration for our improved position in British America and for the increased strength which has been given to the connexion between these provinces and the Empire.' (43)

Altogether the picture painted by this memorandum both with regard to the mainland and Newfoundland was a rosy one. Yet it was in that very year, 1849, that there was a crisis in Canadian affairs.

(42) Memo on Colonial Policy January 7th, 1850.
Colonial Papers.

(43) Ibid.

The Canadian Ministers introduced a Bill compensating the inhabitants of Lower Canada, except those convicted of high treason, for unjust or wanton damage suffered in the 1837 rebellion. When Elgin assented to the Bill, the extreme right wing (the old party to which Stanley had directed his Governors as the greatest supporters of the British connexion, and which at times Russell was inclined to think was a true position), participated in riots in Montreal, which resulted in the burning of the Houses of Parliament. If the British Ministry had refused to assent to the Bill - and many politicians in this country disliked it - a serious state of affairs would have arisen in Canada, and a blow would have been given to the idea of responsible government, but Grey was determined to see that Elgin was supported. The result was that hostile motions in Commons and Lords were defeated, by 291 votes to 150 in the former, and by 99 to 96 in the latter.

There was one more disturbing incident at the close of that year, before Canadian affairs returned to flow in a more tranquil channel. This was a movement calling for annexation to the United States, brought about by temporary commercial distress, in part owing to the carrying out of free trade policies by the Mother Country. This movement never commanded widespread support, and by the spring of the following year was practically defunct. The Ministry at home was not to be diverted from its free trade policy - on this point Grey was adamant, we have already seen how wholeheartedly he accepted free trade doctrines - but Grey did attempt to conciliate Canadian opinion in other ways, one of which was the

attempted negotiation of a reciprocity treaty with the United States. This was not brought to a successful conclusion till 1854, by which time Grey was out of office, but the credit for the initial discussions must rest with him for urging them upon his Cabinet colleagues. (44)

Another way in which Grey proved conciliatory was over the subject of military changes. Though it was a settled object of the British Government to make those colonies which were able to, to bear a greater share of the expense in maintaining troops for their defence, in consequence of the temporary commercial difficulties, Grey was willing to defer the time when Canada should be asked to do this. When it became necessary to build barracks at Montreal for £12,000, to replace a temporary building which had become unfit for the reception of troops, Grey was willing that the Mother Country should take the charge upon itself, much to Charles Wood's disgust. At the same time he was hopeful that the object of reducing defence expenditure would ultimately be gained:-

' ... with free navigation and under the more vigorous system of internal administration Canada will soon be again in a state of prosperity, and with returning prosperity we may increase our demands upon her ...' (45)

At the same time Grey was thinking of improvements in the organs of the Canadian legislature. Shades of the 1830's were revived when Grey tentatively suggested that it would be better to replace

(44) Morrell. Chapter X. pp. 223-231.

(45) Grey to Russell, April 18th, 1849.

a nominated Legislative Council with an elected one. All the ideas he had then held were revived; an elective body composed of those who had held certain offices in the province, and the representation of all interests by the system of election. Having outlined these proposals to Russell, Grey remarked:-

'These are mere speculations at present, but it appears to me very clear that it will be necessary some day to adopt some such scheme in order to give greater weight to the L. Council in the constitution, and there is no harm in looking forward and thinking how this might be done.' (46)

This last phrase is a sufficient comment as to how the direction of colonial affairs had changed since the days of Glenelg. ^{It was} Grey's belief - held ever since he had been Under-Secretary to Goderich - that such changes as he had proposed should never be brought into being, but, in accordance with his views of granting powers of self-government, by the local authorities themselves. Therefore he suggested to Russell that the power should be given to the Canadian Legislature of making any changes they might think fit in their old Constitution; such a provision he had inserted in his Bill concerning the Australian Constitutions, which had been postponed. A proviso could be added that no such acts for effecting constitutional changes should be valid until confirmed by the Queen after being laid before both Houses of Parliament. This was, however, too much of a revolutionary concept for Russell; he was still oppressed by the bogey of potential French rebels who might

use this power to bring about the 'total discomfiture' of the 'British or Tory party'. In fact he thought that the Australian Bill ought to be amended so as to reserve the power of altering the constitution to the Imperial Government. (47)

In his printed memorandum for the Cabinet dated January 7th, 1850, Grey reviewing the preceding year's events had to admit that the affairs of the North American Colonies were not in such a satisfactory position as in 1848, owing to commercial distress and the annexationist movement, but he stressed that these were local and temporary phenomena:-

'In other respects, Canada is very prosperous ... A large and successful immigration; ... the new canals, affording an easy passage for sea-going ships of 300 or 400 tons, from Quebec to the western lakes, are in successful operation; and there is every prospect that, with the facilities afforded by the repeal of the Navigation Laws, this line of internal navigation will carry off a very large proportion of the trade between the sea board and the Western States' of the Union.' (48)

Grey was always concerned to create a larger unit of the North American Colonies, as he was for example in Australia or New Zealand. A federation seemed to him the ideal solution; it would as a unit be in a stronger position to resist United States' ambitions than would a single colony, and it could also legislate on matters of

(47) Russell to Grey, October 13th, 1849.

(48) Memo on Colonial Policy January 7th, 1850.
Colonial Papers.

common concern to all colonies, such as a land policy or a common commercial policy with no tariff barriers between colony and colony. Even if it elected to sever the British connexion a federation would be strong enough to stand on its own feet without necessarily being absorbed in the United States.⁽⁴⁹⁾ At the same time he realized that without improved means of communication between the provinces, the idea of a federation was a mere chimera. This realization and the necessity of pouring more capital~~ists~~ into Canada (British investors were reluctant to put money into Canadian ventures fearing that Canada might at some time join the United States and repudiate her debts) led Grey to be an ardent advocate for a system of railway communication between the provinces, and in particular the Halifax-Quebec railway, a project which had been recommended by Durham. By the end of 1848 he had worked out a scheme for facilitating the construction of the latter line; this involved the loan of £5,000,000 by the Imperial Government for the construction of the railway by Irish emigrant labour, the interest on the loan being secured by an increase in the duty on colonial timber to the level of duty on foreign timber. The colonial Assemblies concerned, those of Canada, New Brunswick and Nova Scotia, expressed themselves as favourable to the project, but it had for the moment to be shelved because of political differences in Great Britain. Grey stated these difficulties, in a letter to Sir Edmund Head, Governor of New Brunswick, to be the state of the British

(49) Grey to Russell, November 18th, 1850.

finances and the indisposition of the House of Commons and general public for incurring increased expense in connection with the colonies. Grey was reluctant to abandon all hope of the construction of the line, and in November, 1850, we find him urging upon Russell its construction, and showing the harm that the non influx of British capital into the country was doing, warning Russell that it might lead to the growth of a movement in favour of joining the United States, the increased strength of which nation with its 'unscrupulous and insatiable ambition' would then be a great danger to Britain. The construction of the Halifax-Quebec line would not only draw the colonies closer together; it would also by creating greater mobility, enable the British forces in Canada to be reduced, and the cost of the project would be amply compensated by the political and commercial advantages which would accrue from its construction. (50) Negotiations for building the line were still proceeding when Grey left office; his successor refused to guarantee the line by a loan, and the opportunity was unfortunately lost. Grey realized the importance of better communications as the first step to a federal union, his successor did not. Writing to Head, Grey stated:-

'My impression is strongly in favour of a federal union of the British Provinces in North America, but ... till the railway is constructed, or at all events fairly commenced, it appears to me that any attempt at such a measure would be premature.' (51)

(50) Grey to Russell, November 18th, 1850.

(51) Quoted in Morrell, Chapter XVII, pp. 443-4.

The project of an Intercolonial Railway was a great inducement to the Maritime Provinces to agree to the idea of a federal union when propounded at the Quebec Conference of 1865. (52)

One other important question, of long standing, which Grey had hoped to solve, but which had to wait until he had left office, concerned the Clergy Reserves, the proceeds of which were then distributed among the different religious bodies by authority of an Imperial Act. In 1850 the Canadian Legislative Assembly passed an Address asking for the repeal of the Imperial Act in order to enable the Canadian Parliament to dispose of the Reserves. Grey announced that he agreed with the Address; had he not attempted to tackle the subject of the Clergy Reserves whilst Under Secretary? The only snag was that the Whig Ministry was too weak to carry the repeal through the session of 1851; Grey believed that there might be unrest in Canada if no attempt was made to repeal the Act, or if such an attempt was made too late in the Session so that it was obvious that the Government had only brought it forward knowing full well that it would have to be abandoned. Rather than such policies being adopted, risking defeat in the House of Lords might prove safer. (53) On the defeat of the Whig Ministry in the early part of 1852 over Russell's Militia Bill, Pakington, the new Colonial Secretary, refused to agree to the repeal of the Act. The Duke of Newcastle, his successor, conceded the Canadian demand in 1853.

(52) For fuller account of Halifax-Quebec Railway see Morrell, chapter XVII, pp. 436-443.

(53) Grey to Russell, May 15th, 1851.

When he left office Grey had reason to be satisfied with the state of the British North American Colonies. The important principle of responsible government had been introduced, Canada had the ablest of Governors, the disturbances of 1849 had been weathered, and the colonies were experiencing reviving prosperity. The North American colonies were among the stablest of British colonies possessions; now let us look at one which could not make that claim.

E. South Africa.

When Grey assumed office in 1846 the situation in Canada and the introduction of responsible government required delicate handling, but the problems there pale before those which confronted the Colonial Office in South Africa. In that region complexities were greater; not only were numerous native races, with all the attendant problems they posed (relation with the settlers, land and cattle disputes, frontier incidents and wars, missionaries and attempts at civilization, Government policy towards them) present, but there were also differences between Boer and Briton, and the problem of what to do about the trekkers who had gone beyond the official frontier. Add to these, the fact that an attempt had to be made to give South Africa more of a representative form of government than she then enjoyed, and it can be seen that Grey had a collection of severe problems to face. That his policy in this respect was less successful than that devised for

North America is little wonder; Grey did not find a solution to the racial problem, but South Africa is still groping for one today.

Native policy, relations with the Boers, these were the thorniest problems which had confronted successive Governors at the Cape since we last took cognizance of South African affairs at the time of Glenelg and D'Urban's Kaffir War. The by no means peaceful years between D'Urban's withdrawal from the colony in 1838 and Sir Peregrine Maitland's assumption of the Governorship in 1844 had failed to find any solutions. Were the Boers to be allowed to roam at will beyond the colonial boundaries, setting up their own states, perhaps with slavery as an established institution, certainly with a harsher native policy than the Colonial Office was prepared to accept? Were they to embroil themselves with the native powers beyond the Orange and the Vaal, with all the resultant bloodshed as had occurred in the campaigns against the Zulus in Natal? Or was the Imperial Government to hurry along in their wake northward, extending an already overlong colonial boundary, with all the disadvantages that were involved in the assumption of greater responsibilities, of fresh difficulties with new races of primitives, of expense in providing organs of Government plus troops, when communication with the capital and seat of Government would be far more difficult than at present? Communication between the frontier and Cape Town already presented formidable difficulties.

After much hesitation and changing of policy Natal was annexed

as a district of the Cape in August 1845; between that ^{and} the eastern colonial frontier lay Kaffirland and the Ceded Territory. The story of this whole area was one of unrest. Nor were things more tranquil north of the Orange River; there Boers had moved into lands held by the Griquas (a people of mixed race, partly Hottentot, largely Europeanized, and with their own missionaries), and fresh tribes of Bantu. If left to their own devices nothing would keep these peoples at peace, and the old dismal theme of bloodshed, waste and war would once again be repeated. It was this realization that led Maitland to convene a conference of Transorangian chiefs in 1845; he then proposed that all lands should be divided into two parts, one to be kept as a reserve for the native peoples and one to be leased out to European settlements, with a British Resident to control the Europeans. Though this scheme did not evoke much support Maitland went ahead and appointed Major Warden as Resident at Bloenfontein. Once again Britain was tentatively, half-heartedly extending its imperial responsibilities. Further to the north lay Boer trekker communities located around Winburg and Potchefstroom.

Meanwhile on the eastern frontier yet another Kaffir War was in the making. In a further attempt to find a satisfactory frontier policy Maitland proclaimed the Ceded Territory as the colonial boundary, which tribes were only to occupy on sufferance, and in which patrols were to move and fortifications to be erected. The Kaffirs beyond the Ceded Territory were alarmed at this example of a 'forward' policy, and when a frontier incident on March, 1846,

led to a British force pursuing some Kaffir murderers into Kaffir-land, most of the tribes, who had allied with one another for a defensive war, flew to arms. Thus began the War of the Axe. (54)

This briefly was the South African scene when Grey entered the Colonial Office. Grey's description of the state of affairs at the Cape as 'most wretched' was certainly no exaggeration, though his assertion that it had arisen 'mainly owing to mismanagement' is rather more doubtful, and too simple an explanation. (55) One of his first tasks was to supercede Maitland, and to replace him, on Russell's recommendation, by Sir Henry Pottinger, an East India Company man, who only took the appointment as a temporary one whilst waiting a vacancy in India. Pottinger was succeeded in December, 1847, by Sir Harry Smith, one of the more talented of British Army Commanders with a record of distinguished service in India, and with previous experience of South African warfare. With this latter appointment Grey believed he had found another Elgin, but in this proved to be mistaken. Smith was a very talented man, but did not possess Elgin's political acumen, being more at home on the battle-field than as head of the civilian administration. Yet when that has been said, he did face a set of tricky problems which would have been ample tests for the ability of any man, and his final recall was somewhat unfortunate, it being based ironically enough on his military operations. Smith was not merely Governor of the Cape and Commander-in-Chief, he was High Commissioner 'for the

(54) 'A History of Southern Africa' E.A. Walker, 1957. pp. 222-8.

(55) Journal, December 6th, 1846.

settling and adjustment of the affairs of the territories... adjacent or contiguous to the... frontier.' Pottinger had held this office, but Smith was the first to use the powers granted by it; it was a further recognition of Imperial responsibilities.

Smith's opening gambits were marked by energy and boldness. The Kaffirs were for ^{the} moment subdued. A new frontier policy had to be found. Smith, supported by Grey, annexed the Ceded Territory, renaming it the District of Victoria East. The land between the Keiskama ^{MM} and the Kei was annexed as British Kaffiraria. The tribes, on reserves, were still allowed a large measure of autonomy, but British magistrates were introduced, and where necessary had powers to set aside judgments made by the ruling powers among the Kaffirs. The policy of leaving the Kaffir tribes as independent peoples under their own rulers, making treaties with those rulers, and laying on them the entire onus of controlling their own people and preventing frontier incidents, had failed; instead a certain measure of British control was to be introduced, in the hope that it would bring a more permanent peace and bring the Kaffirs more readily to a state of civilization. Meanwhile the Imperial authorities footed the bill of £1,000,000 for the War of the Axe.

In February, 1848, Smith proclaimed British sovereignty over all white, black and coloured peoples between the Orange and Vaal rivers, and the Drakensberg. Thus was created the Orange River Sovereignty. When some of the Boers declined to submit to British rule and took up arms, they were defeated at Boomplaats; the only independent

Boer communities were now those to the north of the Vaal. The Imperial Government was rather reluctant to uphold the creation of the Orange River Sovereignty, it dreaded a further increase of its responsibilities, particularly when there was an active movement at home increasingly hostile to expenditure on the colonies, but Smith assured them that the assumption of control was the surest way to bring peace to that disturbed area.

By the time that the first of the two printed memoranda already referred to on Colonial policy was produced, in February, 1849, Grey was able to take an optimistic view of native policy and the problem of the Boer trekkers. When reading these memoranda it must be remembered that Grey was justifying his policy to his Cabinet colleagues, and was, therefore, concerned to make the situation appear in as good a light as possible; whether on composing these memoranda he had doubts as to whether this optimism was quite justified cannot be known. According to this memorandum of 1849, the Kaffirs had been quelled and:-

'placed under a system of government which affords every reason to hope that security will in future be effectually maintained, partly by the aid of these very Kaffirs themselves, some hundreds of whom have been formed into a very valuable police force. A great part of the large military force has been withdrawn (on Grey's query whether it would be safe to reduce the number of troops in South Africa, Sir Harry Smith in his usual mood of brash optimism had answered in the affirmative), and by allowing a considerable number of the soldiers belonging to the regiments who

have been brought home to obtain their discharge, and by settling them in villages on the frontier, much has been done for the safety of the colony without incurring any expense, as the cost of forming these military settlements has actually proved less than that of the return passages of these men ...'

Less than two years were to prove how wrong were these hopeful signs of a reign of peace on the frontier; when the next Kaffir War broke out, the Kaffir police were to desert to the enemy, some of the military settlements were to be 'eaten up' (to use the picturesque, though by no means literal, Kaffir idiom) and fresh troops had to be hurried out from Britain.

Also mistaken were the views the memorandum expressed as to the region north of the Orange River:-

'The Emigrant Boers beyond our frontier, instead of being left in their former lawless state have been subjected to a system of government which is to be mainly administered by themselves, and which though rude and simple, will, as I believe, suffice to maintain a tolerable degree of security for the persons and properties of both the Europeans and native inhabitants of the remote region.' By 1852 the decision had been taken to abandon the Orange River Sovereignty and leave both Boer and native to their own devices.

All this fresh catalogue of disaster was in the future, however, and with frontier troubles seemingly over by 1849, Grey could direct his thoughts towards the problem of a Constitution for the Cape of Good Hope.

The then constitution of the Cape comprised an Executive Council consisting of the Governor and leading officials, and a Legislative Council of the same leading officials plus a number of nominated citizens. This was obviously unsuitable for the needs and desires of a growing community. Things might be in a chaotic state on the frontiers, but in the more settled regions life was taking on a more complex tone, the sure sign of growing prosperity and civilization. Various bodies had already desired parliamentary institutions; Grey thought it as well to grant them before a clamour for such arose, besides the condition of South Africa in his opinion justified the grant of a greater portion of self-government.

In response to Grey's queries, Smith in July, 1848, forwarded a report on the proposed grant of parliamentary institutions, based on the separate reports of members of his Executive Council and Judges of the Supreme Court. Most of those consulted favoured an elected Assembly plus an Upper Chamber of life nominees. Porter, the Attorney General, also suggested that officials should be eligible for seats in the Assembly.

While discussions as to the nature of the proposed constitution were taking place in London, a serious disturbance at the Cape created a fresh difficulty. Two important needs of the colony were roads and a labour force; Grey believed these could be met most cheaply by the employment of convict labour. In August, 1848, he wrote to enquire from Smith whether a supply of ticket-of-leave men of good character would be acceptable to the colonists.

Without waiting for a reply, Grey sent the 'Neptune' with Irish peasants recently convicted of agrarian crimes to the Cape. News that convicts were on their way created a ferment of popular opposition at the Cape; some of Smith's Council resigned, and he was obliged to announce that he would not allow any convicts to land without first asking for further instructions from home. The 'Neptune' arrived at the Cape in September, 1849; the news of anti-convict riots had, however, convinced Grey that despatching convicts to the Cape did not fall within the realm of practical politics, and in February, 1850, the 'Neptune' again sailed, carrying her human cargo to Van Diemen's Land. Grey had acted rather precipitately in this matter, and had suffered in consequence.

Meanwhile the nature of the Cape constitution continued to be debated in London. One problem was where the proposed Parliament was to be located. Was it to be at Cape Town or at Grahamstown, where it would be more in touch with the situation on the eastern frontier? The possibility of two legislatures, one in Cape Town, and one for the eastern regions, had also been mooted. Grey agreed with Sir Harry Smith that one legislature located at Cape Town was the wisest policy, leaving the municipal bodies as much control over local affairs as possible.⁽⁵⁶⁾ He also desired that the Legislature should consist of two Chambers of which the Assembly was to be elected for a term of five years. As for the Legislative

(56) 'Heads of Proposed Report respecting Representative Institutions at the Cape' (undated)
Colonial Papers.

Council we have seen that Grey believed throughout his political career that a nominated one carried little weight in a colony, with the result that colonial opinion would not see it in the role of a balance to the Assembly, whilst it also tended to become a close and irresponsible body. Therefore, Grey proposed that the Legislative Council should also be an elected body, 'but in such a manner as to be less easily moved by transient popular feeling;' he proposed that the Legislative Council should be elected for life or until they resigned, and of course the electors were to be those 'who have held situations of trust in the Colony.' Also inevitable was Grey's scheme for ensuring that every interest in the Colony would be represented in the Legislative Council. The proviso that the Governor should have power to dissolve both branches of the legislature if asked to do so by an address of two-thirds of the Assembly is also familiar. Referring to Porter's suggestion about seats in the Assembly for officials, Grey remarked:-

'This seems inconsistent with any system of conducting the affairs of the Colony except that now established in the N.American Colonies under the name of "responsible" (which is in fact "party") govt. The Colonial Secretary (the Secretary for the colony) being a member of Assembly and voting habitually in the minority would be in a position which would be altogether untenable. The probability of this could not be guarded against amidst the frequent changes of a popular Assembly unless the person holding the office changed when no longer in the majority. This system appears quite

unsuited to the existing circumstances of the Cape therefore recommend that the public servants should not become members of the Legislature.'

One reason why responsible government was yet unsuited to the Cape was that the native problem created a difficulty; Grey felt it to be an Imperial responsibility and not one which should be left to the management of the settlers themselves; the money for the management of the border tribes plus a permanent Civil List was not to be subject to alteration by the Assembly except at Her Majesty's pleasure. Grey was also willing to allow the Legislature to amend from time to time the Constitution subject to the condition that no such Act would be confirmed unless by consent of Her Majesty in Council. He suggested that an Order in Council along these lines be passed, and the existing Legislature at the Cape left to fill in such details as the defining of electoral districts. (57)

Russell had no objection to an elective Legislative Council, but he did not approve of Grey's suggestion:-

'If members of the existing Assembly are to have power to elect their own friends as members of a Council for life...an oligarchy of an exclusive and dangerous nature may be established.' He also doubted the wisdom of excluding officials from a seat in the Assembly, preferring the provision of ^{the} French Charter which had

(57) 'Heads of Proposed Report respecting Representative Institutions at the Cape'. (undated)
Colonial papers.

lasted till 1848 and which had allowed officials to be members of either Chamber, but without the power of voting. (58)

Grey on the first point still retained his former opinion:-

'... to give this body real weight and authority it must be independent both of the Crown and the People - to be independent of the Crown it must be in some shape or other elective - to be independent of the People the members must hold their seats for life subject only to the contingency of a dissolution...

If elected even for ten years there would always be a feeling of its being necessary for the members if they desired to secure their position to avoid too strong a resistance to any clamour of the day.'

The members of the Assembly would be a very ^{small} part of the number of elect^{ors} for the Legislative Council, municipal office holders, magistrates, field cornets and others would be among the body of electors. He did not greatly object to the second of Russell's objections. (59)

Russell asked that the question of the form of the Legislative Council be referred to the Committee of Trade and Plantations for its opinion. (60) Stephen was not present at the discussions of the Committee on the Cape constitution, and Grey felt the loss of his talents. At the meeting on January 15th, 1850, at which were

(58) Memo by Russell December 9th, 1849, Colonial Papers, Cape of Good Hope.

(59) Memo, December 10th, 1849. Colonial Papers, Cape of Good Hope.

(60) Russell to Grey, December 12th, 1849.

present Grey, Russell, George Grey, Labouchere, and Lord Campbell, Grey was overruled and Russell's proposals were adopted; the members of the Legislative Council were to be elected for a period of ten years, one half of their number being renewed every five years. Grey thought this plan far less satisfactory, but acknowledged that it was one more likely to please the colonists. The report on the Cape constitution he had drawn up over Christmas, was finally agreed to by the Committee on January 19th, 'but considerably damaged.' (61)

The beginnings of parliamentary government at the Cape were delayed as a result of the ill-will created by the 'Neptune' incident. The Privy Council in February, 1850, sent the results of the deliberations on the constitution to Smith, who was to see that the details were filled in locally. To do this he desired that his Council should carry more weight in the colony, so he invited the municipal councils and divisional road board to put forward names for his consideration, and he then chose the four highest on the lists, adding a fifth to equalize the balance between East and West. The four Popular Members were not, however, satisfied with the proposed constitution, largely as a result of the distrust of the Colonial Office created by the agitation against the convicts. They wanted the qualifications necessary for a seat in the Upper House lowered, and wished to see the Assembly have full control of finance. When these demands were

not met they withdrew from the Council. Cape Town municipality asked them to draft a rival constitution and this John Fairbairn took to London. Grey refused to see him other than as a private individual. Russell seemed to hesitate on the decision already made by the Government at this fresh development, much to Grey's annoyance, but it was finally decided to draft Ordinances which Smith's Council would enact (these being based on a draft Order in Council of Porter, the Attorney General at the Cape, who had incorporated the recommendations of the Committee of Trade and Plantations, supplementing them with the necessary local details), and such a draft was sent out to the Cape in September, 1851. Further delay was caused by the fall of the Whig Government, but an Order in Council, based on the draft of September 1851, of March 11th, 1853, finally gave the Cape its constitution, with an elected Legislative Council for the term of ten years. The first Cape Parliament met in June, 1854.

Whilst the constitutional question was yet unsettled, news reached Britain of a further Kaffir War, showing how mistaken was Smith's optimism (as expressed in his despatches) that he had settled that recurrent problem once and for all. The new Kaffir policy had been gradually to bring those within the colonial borders under British rule, in the hope that eventually they would become by degrees more civilized, and be able to take their place alongside the settlers. Previous policies of more or less leaving them to their own devices, their own rulers and laws, and

treating them as independent states, had failed. It could not be expected that the new policy would at once succeed. The new ways bewildered the Kaffirs; long established customs such as witch-hunting and 'lobola' (the purchase of wives by payment of cattle) were now stigmatized as wrong, and the entity of the tribe was being lost as the chiefs lost authority over their people. Beyond the Kei river were the independent tribes, still in possession of their ancestral customs, and free from white magistrates ruling by martial law.

Smith does not appear to have realized how unsettled was the state of that area. He believed that he could overawe the murmurs of discontent by a policy of strength; when Sandile, the Gaiika chieftain, refused to meet Smith, the latter deposed him, and at first established the Resident, Charles Brownlee, as chief in his stead. This act was too much for the Gaiikas, and when troops were sent after the outlawed Sandile, they were attacked on Christmas Eve 1850, whilst the Gaiikas wiped out three of Smith's military villages. This was the signal for the other tribes to spring to arms. Some Hottentots joined the tribesmen as did some of the coloured Cape Mounted Riflemen, and Smith's much vaunted Kaffir police deserted 'en masse'. (62)

Once again native policy was in the melting pot. Grey in a memorandum of February, 1852, found it necessary to defend the policy which had been adopted; this policy he defined as

(62) 'A History of Southern Africa'. E.A. Walker, 1957.
pp. 250-1.

abstaining 'from entering into treaties with the frontier Kafirs, which experience has clearly demonstrated to be perfectly useless, and instead of doing so to insist upon the obedience of these people within a certain district to British officers stationed among them, and supported by a military force, and forts erected at certain important points, at the same time governing them principally through their chiefs.' The memorandum continued:-

'It was believed that if by these means order could be enforced and security for persons and property maintained for a few years, the civilizing influences of commerce and missionary labours would alter the character of the Kafirs and place the frontier in a condition of permanent safety.'

Grey emphasized that such a policy had the backing of such former Governors as D'Urban, Pottinger, Napier and Maitland. He attributed the failure of this policy to the following reasons:-

'A too speedy reduction of the military force maintained in the frontier, a neglect to take sufficient pains to reconcile the chiefs to the new state of things by maintaining their social position; and a want of judgment on the part of some of the Executive officers employed, who allowed themselves to be deceived as to the hostile intentions of the Kafirs, notwithstanding the warnings of the frontier farmers.'

Grey announced that for the reduction of the British forces in the frontier region he was willing to take as much blame as could be fairly laid on him, at the same time showing that he

was entirely influenced on this point by the optimism of Sir Harry Smith. Grey had expressed a strong desire to reduce the troops as far as it was safe to do so, but left it to Smith to decide what numbers of troops were necessary for maintaining peace and order. Smith, on the 23rd of December, 1847, and the 4th of January 1848, reported that he had ordered four regiments of infantry and one of cavalry to return to Britain; he described the troops who remained as 'fully ample for every purpose', adding that 'a recurrence of war is out of the question.' He withdrew yet another regiment from Kaffraria during the course of 1848.

The outbreak of war found Sir Harry Smith and his officials totally unprepared, and with insufficient troops at their disposal to bring it to a speedy conclusion. Even then Smith continued his series of optimistic despatches in which he underestimated the difficulties ahead of him, and did not request more reinforcements. The result was that all through 1851 warfare dragged on inconclusively; the colonial boundary was too long to patrol effectively, and Kaffir raids on land held by European farmers continued. Cleared from one fastness the rebels retired to another, then, when pursued by the troops, fell back to the former one. (63)

The Home Government was alarmed, as can be seen by the determination of both Grey and Russell that Smith was not to

(63) Printed Paper. 'The Kafir War'. February 18th, 1852. Colonial Papers.

treat the Kaffirs leniently; they were both convinced that Smith was doing this, and ascribed it to the effect of the censures which had fallen upon two other colonial governors, Torrington and Ward, for the vigorous suppression of rebellions.⁽⁶⁴⁾ In October, 1851, Russell cautioned Grey to leave out reproaches of lenity in the draft of a despatch, but that the warning against communicating personally with Kaffir chiefs or showing them any civility should stand.⁽⁶⁵⁾ In part this reaction of the Imperial Government was owing to the disillusionment brought about the failure of their native policy, but also in part to increasing alarm at the extent of the war and its probable expense. Already there were outcries in the newspapers, some like the 'Times' urging that the South Africans should be given responsible government and then they could pay for their own native wars, and use their own troops to put down such. In these circumstances, subjected on all sides to criticism and unaware of the difficulties of terrain and communication which Smith's forces were having to overcome, the progress of the war appeared to be intolerably slow, and for this Smith began to be blamed by his political superiors. The reaction of Charles Wood to the news from the Cape was typical of the feeling among members of the Government:-

'Your Cape dispatches seem to me to be as unsatisfactory as possible. The patrols march up the hill and down again, see Caffres who evade them and cattle which they cannot catch, and

(64) Russell to Grey, September 13th, 1851.

(65) Russell to Grey, October 21st, 1851.

nobody seems to be for them. No progress towards a termination appears to have been made: and though the expenditure is not so heavy as we might have expected, we see no end of it.' (66)

In such circumstances it is hardly surprising that Grey began to press for the recall of Sir Harry Smith. On the evening of December 12th, 1851, Grey received the Cape mail; in this were some private letters (some from Major W.S. Hogge, one of two Commissioners who had been sent to deal with situation north of the Orange), very critical of Smith. Sending these to Russell, Grey declared:-

'You will perceive that these letters are in the highest degree unsatisfactory and what is most serious is that they entirely destroy the slight remains of confidence I had in Sir H. Smith. The direct charge brought against him by Major Hogge of not giving us full and accurate intelligence of what has been going on is so strongly supported by the internal evidence of his despatches, and the contrast between the promises he has been making to us month after month and the results that I cannot help giving them entire credit. It seems to me therefore absolutely necessary that Sir H. Smith should be recalled if we can find a proper person to succeed him.'

The only difficulty was to find someone to succeed him; the General Officers were, sad commentary on the British Army, almost all too old to command in such a war, and in addition had no capacity for being at the same time the governor of a colony.

(66) Wood to Grey, August 25th, 1851.

Of the youngest General Officers, Grey thought Major General G. Cathcart the likeliest. Then there were the difficulties which would be experienced with the Horse Guards when a demand was made for the recall of Smith. Hogge had also advised the sending out of more troops, and though Grey believed 'there are troops enough already in the Colony,' he was prepared to send more. (67)

Russell was dubious about recalling Smith. Where were they to find a man with the ability to win the war, make peace, and put in force the new Constitution? In consequence Grey decided not to press for this at the moment. He decided to write privately to Smith expressing his dissatisfaction, so that the latter would not be completely surprised if it were decided to remove him. At the same time Grey warned Russell that the matter in all probability would have to come before the Cabinet. (68)

Russell replied:-

'It is a great relief to me to find that you have ceased to urge the recall of Sir H. Smith at the present moment.'

He found a strange consolation in the fact that though the end of the war was not near, not many more British troops had been killed than civilian fatalities as a result of railway accidents in Great Britain! (69)

Grey had contacted the Duke of Wellington and had found him averse to recalling Smith. (70)

(67) Grey to Russell December 12th 1851.

(68) Grey to Russell, December 14th 1851.

(69) Russell to Grey, December 15th, 1851.

(70) Grey to Russell, December 16th, 1851.

The beginning of January brought another Cape Mail. This decided Grey. Comparing Smith's favourable reports in his letters and dispatches with other more detailed reports he had submitted plus newspaper accounts, Grey determined to recall him. He brought the subject before the Cabinet, and secured their agreement. At first Grey thought of selecting Sir Gaspard Le Marchant, Governor of Newfoundland, as his successor, but realized that the appointment of a civilian Governor would arouse the hostility of the Horse Guards. Wellington protested against the recall of Smith, but concurred in the appointment of Cathcart to take his place. Grey chose as Lieutenant Governor, a civilian, Darling, then Governor of St. Lucia. (71)

Grey had been dissatisfied with Smith's civil administration and his want of foresight about the probability of war with the Kaffirs, but once that war had started he expected quick results such as Smith had given him in the Orange River Sovereignty not three years before. What Grey did not realize was that this was an entirely different type of warfare, fought in very difficult country every step of which was known to the foe but not to the troops, against scattered bodies of men who often avoided pitched battles and concentrated on hit and run raids. The only criticism that Wellington was prepared to make of Smith was that he had committed a 'capital error' in neglecting to make roads through

(71) Journal, March 6th, 1852.

certain fastnesses which he then had to attack three or four times before ousting rebels who resorted to them; Grey realized that Smith had not possessed the means to build roads, but then stated:-

'But if roads could not be made, and the positions held, when carried, it seems to me that it was a useless waste of valuable lives to attack them ...' (72)

How else, however, could the rebels be subdued if they were permitted to linger in such fastnesses from which they could mount raids into the colony? Nevertheless, perhaps there is some justification in Grey's belief that Smith's health and strength had failed and that he needed a rest. Certainly his successor, Cathcart, brought a fresh eye to the problem, and solved the difficulty of keeping cleared areas free from rebels by building inexpensive fortifications there around which bodies of troops could be grouped. Under Cathcart's direction the war was virtually over by October, 1852, having cost the British taxpayer £2,000,000; at its close there were more than 2,200 regular troops in Cape Colony itself, and nearly 2,500 in British Kaffraria.

There remains the problem of the Orange River Sovereignty. In great part the trouble there arose through the activities of the Resident, Major Warden. There was one great native power in the area, the Basutos, and at their head was a very able chieftain, Moshesh. He had become involved in disputes with a group of Bantu,

(72) Printed Paper 'The Kafir War'. February 18th, 1852.
Colonial Papers.

half-breed and Hottentot clans who, under the guidance of Wesleyan missionaries, had originally entered the territory and encamped on Basuto land under his sufferance. When Warden set about the definition of boundaries, these broken clans, backed by their missionaries (partly because the missionaries with the Basutos were Roman Catholics), claimed extravagantly large stretches of land. Warden recognized these petty chiefs as independent rulers, upheld their claims, and threatened Moshesh with chastisement if he opposed them. Moshesh reluctantly consented to the loss of some of his best corn lands. Moshesh was being harried by rival native powers and was losing cattle; the Basutos retaliated on some of the disciples of the missionaries. Disregarding the advice of friendly Boers in the Sovereignty, Warden decided to intervene in these native squabbles, and aligned himself against the greatest native power, the Basutos. The Boer farmers had no wish for the sake of broken clans guided by Wesleyans to expose themselves to Basuto wrath, and, therefore, did not give Warden much support. The result was that Warden suffered a defeat in June, 1851. (73)

Coming on top of the news of the Eighth Kaffir War, the reports from the Sovereignty came as a great blow to the Imperial Government. It had never been enthusiastic about assuming so many new responsibilities and extending its domain in Africa; Sir Harry Smith had promised that the acquisition of the Sovereignty

(73) 'A History of Southern Africa'. E.A. Walker, 1957. pp. 245-53.

would not bring burdensome expense, and now here was the tale of another native war in the making. Grey had already warned Smith that if the Boers would not support the Government in the Sovereignty, that it would have to be abandoned, and had the Boers supported Warden ? The fact that Warden's policy had been foolhardy does not seem to have occurred to the British Government. The abandonment of the Sovereignty had been mooted in 1849, and Russell had opposed such a step.⁽⁷⁴⁾ The Committee of the Privy Council in 1850 had recommended an Act of Parliament to make absolutely legal the acquisition of the Sovereignty, but the difficulties of framing such led Grey to call for its postponement.⁽⁷⁵⁾ All signs point to the fact that the authorities at home were doubtful as to the expediency of retaining the Sovereignty.

The clamour in the British press about the expense of the Kaffir War was an important factor in determining the ministers not to ~~view~~^{incur} further expenses, north of the Orange River. Another factor leading to this same conclusion was that an agreement was eventually signed with Pretorius, the leader of the independent Boers north of the Vaal. This was the Sand River Convention of January, 1852. Both parties agreed to facilitate trade and the extradition of criminals; the Transvaalers undertook not to establish slavery, and the Imperial Government agreed not to

(74) Memo ^{by} ~~to~~ Russell, December 7th, 1849. Colonial Papers, Cape of Good Hope.

(75) Grey to Russell, May 17th, 1850. Russell to Grey, May 22nd, 1850.

make any alliances with any coloured nations north of the Vaal. When Pretorius first made overtures for such an agreement, Grey informed Russell that if this were 'judiciously made use of; Britain would be enabled' to withdraw from that most inconveniently remote position.'⁽⁷⁶⁾ This was contrary to the advice of the two Commissioners, Major W.S. Hogge and C.M. Owen, who had been sent to investigate the situation in the Sovereignty. The Commissioners condemned Warden's activities, promised the Basutos a new boundary, and eventually Warden was dismissed. All to no avail. When Grey left office he was determined to abandon the Sovereignty, and his successors were of the same opinion. By the Bloemfontein Convention of February, 1854, the Orange Free State was established.

This was the situation in South Africa when Grey left office. It was by no means a satisfactory one. The one measure of positive value which was to be successful was the new Constitution which was about to be introduced, and this was a very important measure indeed. The vexed problems of native policy and Boer trekkers were still unsolved. Britain had run away from responsibility north of the Orange, and for this Grey must bear much of the blame, but when the tone of the British press and the utterances of politicians are taken into account, perhaps this could not be avoided. The abrogation of responsibility in that area was in the long run only to involve the Imperial authorities

(76) Grey to Russell, December 12th, 1851.

in greater difficulties. As for the Kaffirs, Grey had supported a new attempt to ensure that white and black lived peaceably; that it did not at once bring immediate results is hardly surprising. Grey's worst blunder lay with the 'Neptune' incident, but there again this act was a well intentioned one; his main reason for sending out the convicts was not only to rid this country of them, but he genuinely believed that the colonists would be grateful for a cheap, much needed supply of labour. After all the particular convicts concerned were not hardened criminals but poverty-stricken Irish. He ought, however, to have ascertained what the reaction of the colonists would be, before sending the 'Neptune'. As for Smith, his popularity with the colonists has tended to obscure the legitimate complaints Grey had against him; in the realm of civil administration Smith cannot claim to be a first class governor, military men rarely are. His perpetual self-confidence and underestimation of difficulties were an annoyance to a Colonial Secretary who wanted facts, even if unpalatable, to lay before Cabinet colleagues and Parliament. Over the conduct of the Kaffir War, Grey did not realize how difficult such a war was to fight, and did less than credit to Smith's operations, yet the latter in his letters and dispatches misled Grey by his confidence. and it is true that Cathcart, entirely new to the scene, had, as is often the case, clearer ideas as to the course to be pursued. All in all then, considering the difficulties of the South African

situation, Grey's policy largely stands up - and did stand up in Parliament - to criticism. He did not achieve the success of his North American policy there, but it would have been very surprising if he had done so. Colonial policy is an empirical business, one of trial and error, it never fits into theories and dogmas; even Wakefield and his supporters were to discover that.

F. Australia.

Wakefield had at one time believed that Australia was to be the country in which his full theory was to be carried into practice, but when Grey took over the Colonial Office, the former had already thrown all his energies into the settlement of New Zealand. Australia as we have seen was the first area to witness the putting into practice of Wakefield's dictums about land and its price, yet the problems connected with the disposal of land had by no means been solved by this fact. It was the land problem which was the first to occupy Grey's thoughts in 1846 when he turned his attention to the Australian colonies.

The foremost industry in New South Wales, oldest and most important of the Australian colonies, was the pastoral one. By 1845, 24,000,000 pounds of wool were being shipped to Britain each year. The richest and most influential class in the colony were the squatters, pastoralists who had moved into vacant lands on the frontier and beyond with their flocks. To them the

Wakefield doctrine about land was a pernicious one, and inapplicable to the conditions in Australia. Sheep required large pastures, and the poorer the grazing facilities afforded by the land, the more land was needed. How could rearing sheep be a paying proposition if a price like a pound per acre were charged for land? Sometimes three acres were needed to support a single sheep.

Lord Stanley, Grey's predecessor, had by no means satisfied colonial opinion on this matter. In 1842 he had been responsible for the Land Sales Act, which declared that lands were to be sold after a survey at a minimum upset price of one pound per acre (upset price is the lowest sum for which property exposed to auction will be sold). This price was in existence in all the Australian colonies except Van Diemen's Land and the older parts of New South Wales. How completely had Wakefield's waste lands theory been absorbed by the Colonial Office! The Governor of New South Wales was allowed to grant pastoral licenses, but these were to run for not more than one year at a time. At least half the gross proceeds from land sales were to be applied to emigration from the United Kingdom. (77)

For obvious reasons the Land Sales Act failed to satisfy the squatters. They desired longer tenure, the right of pre-emption if their runs were put up for sale, and compensation for improvements should they surrender their licenses.

This was the position when Grey turned his attention to the

problem. Stanley had already realized that annual leases were not the solution, and had been working on an alternative policy when he fell from office. As early as July 1846, Grey was seeing a deputation representing the demands of the squatters, and outlining his scheme to them. ⁽⁷⁸⁾ An Order in Council of March 9th 1847, settled the question. In unsettled districts leases were to be for fourteen years, at a rental according to the carrying capacity of the run. When the lease expired the lessee had the option of purchase at a price not less than one pound per acre. In intermediate districts leases were shorter (for a term of eight years with a liability to sales at the end of every year), whilst in settled districts leases were to be yearly only. In some quarters Grey was accused of surrendering to the squatters, but on the whole it was a sensible solution of a difficult problem; the waste lands would not for many years be wanted for settlement, and if one group was prepared to exploit them in the meantime and not only enrich themselves but the colony as well; it was only fair that they should have some more reasonable security than annual leases.

The other really important measure of Grey's with respect to the Australian colonies was the Australian Colonies Government Act (13 & 14 Vict., cap 59). - that is leaving aside for the moment the transportation question. In 1846 the government of New South Wales was according to the provisions of the New South

(78) Journal, July 23rd, 1846.

Wales Government Act of 1842, which made arrangements for establishing a Legislative Council a third of which consisted of Crown nominees, the remainder being elected; a civil list was set aside, and bills affecting the constitution of the Legislative Council, the salaries of the principal officers, or customs duties, were to be reserved for the British authorities. The colonial legislative^{ur} was not to interfere with the sale or appropriation of Crown Lands, or with the revenue derived from these. Hardly a 'liberal' constitution, but to compensate for this there were elective district councils empowered to legislate on local matters, and with the sparse population of New South Wales these would take on many of the tasks that a central constitutional body normally would have assumed. As for the other colonies, Van Diemen's Land was a penal colony. Western Australia was too small to merit representative government, whilst South Australia, though promised more representative institutions by the South Australian Act of 1842, had been told by Stanley that such would not be provided until the resources of the colony could be used to meet its own expenditure, and a civil list had been set aside.⁽⁷⁹⁾ At the same time the prosperous Port Philip district, which had been colonized mainly from Van Diemen's Land and Britain itself, was demanding separation from New South Wales, on the ground that it was too far away from Sydney to be effectively represented there.

In the summer of 1847 Grey, writing to the Governor of New

(79) Morrell, chapter IV, pp. 83-5 and 99.

South Wales outlined his proposed measures. Representative government would be granted to all colonies, though not immediately to Western Australia. The Port Philip district would be separated from New South Wales. The most interesting of these proposals was that a central body ought to be created to deal with the common problems of all the colonies; again Grey was concerned to create a federation of colonies with one central authority dealing with such problems as a common tariff policy and a common land policy. Nothing could be more harmful, Grey believed, than tariff barriers between one colony and another. Yet if Grey saw the need for adequate communications between colony and colony in North America before a federal body was established, surely he ought to have realized that the same was true in Australia. The Governor of New South Wales was to sound local opinion on these proposals. There was no strong reaction in Australia in favour of a central legislature for all the colonies. (80)

In the spring of 1849 the Committee of the Privy Council examined the problem; its report mainly echoed the views of Grey and Stephen. Though colonial opinion was averse to a federal body, so important did it seem to Grey to avoid the possible embarrassments of tariff barriers between the Australian colonies, that he persisted with the idea. The representative institutions granted to the Australian colonies would be those then enjoyed by New South Wales; a greater degree of representative government was not to be introduced in that colony. One

MORRELL pp 364-6
 (80) ~~Journal, March 2nd, 5th, and 13th, 1850.~~

of the Governors was to become Governor-General, with a power to call together a General Assembly of elected delegates from all the colonies to deal with matters of common concern to all. It can be seen how important Grey, with his free trade theories, thought the tariff question, when it is seen that in these proposals Parliament was to enact a uniform tariff for Australia. A Bill based on this Report was introduced in June, 1849. Fierce opposition was directed against the Bill, the Colonial Reformers claiming to represent the colonists themselves; that part of the Bill against which criticism was most directed was the general tariff and the federal scheme. In the course of events the general tariff had to be jettisoned, and on July 17th, 1849, Russell informed the Commons that the Bill would be withdrawn for the session. Grey explained the reason for its withdrawal as 'the want of sufficient time for the discussion of so important a measure,'⁽⁸¹⁾ but a more potent reason was the likelihood that the Bill would not have been passed.

The Bill was re-introduced in February, 1850. Modifications had been made in it in the hope that it would secure greater support. The federal clauses were now only to apply to colonies that presented Addresses asking for the establishment of a General Assembly; the tariff was to be left to the colonial legislatures to determine, though there was an express bar against discriminating tariffs.

Grey attempted by personal contacts to secure greater support

(81) Memo on Colonial Policy, January 7th, 1850.
Colonial Papers.

for his Bill. On March 2nd, he saw Sir Robert Peel, who gave him some helpful advice, and a further conversation with Peel on the same subject is recorded for March 13th. On the 5th of that month Grey had a discussion with Roebuck on the same subject, and 'found him to know singularly little about it considering the part he has taken in discussing colonial matters.' (82)

The bill again encountered strong opposition from Tories and Colonial Reformers, but the majority for the third reading was 226 to 128. It then went to the Lords where as we know the Government was exceedingly weak; here opposition was again concentrated on the clauses concerning a federal assembly. On June 14th, Grey noted in his Journal:-

'Stanley moved the omission of the clauses relating to the general Assembly which we only carried by one and defects were pointed out which I fear will compel me to abandon them.'

On June 28th, Grey announced that the clauses relating to a federal Assembly would be abandoned. The mutilated Bill then became the Australian Colonies Government Act; the Port Philip region became the colony of Victoria; Legislative Councils on the New South Wales pattern were established for Victoria, Van Diemen's Land and South Australia; Western Australia could possess one if it made provision out of its own revenue for expenses at that time defrayed by parliamentary grants, and upon petition of a third of the householders; lands and land revenues were reserved for the Crown, which was also to initiate money votes.

Grey was reluctant to abandon all his grandiose schemes of federation. In 1851 the Governor of New South Wales was given the additional title of Governor-General, and was instructed to encourage an atmosphere favourable to federation; he was also charged with keeping a watch over the proceedings of other colonies which might concern their neighbours. This plan was not a success.

Grey's federation scheme was premature. For once he had not hearkened to colonial opinion, but had adopted that paternal Colonial Office outlook which critics said predominated in colonial affairs of knowing what was best for the colonists, whether the latter thought so or not. The result was failure. What the majority of residents of New South Wales wanted was not federation but a greater degree of representative government. The possibilities of a closer union between the Australian colonies were, as far as practical politics went, far in the future. It was in 1851 that an event occurred which was to attack more importance to the Australian colonies, the discovery of gold in Victoria and New South Wales; with their wealth and rapidly-growing population a type of government more suited to the state of the colonies could not be delayed, and by August, 1853, the Duke of Newcastle was talking of responsible government for New South Wales. By 1855 new constitutions were established in all the colonies, and the Land Sales Act was repealed, the colonies gaining control over their own land policy, for which they had

contended ever more strongly since the passing of that Act and since Grey's settlement of the squatter question had yet in the main upheld the provisions of that Act.

As far as external and internal security went, the Australian colonies were more fortunate in that respect than any areas under British rule elsewhere. They were not bordered by a powerful and potentially hostile country like the United States, and they had no large native population to create problems. Convicts by 1852 were less of a problem, more care in selection being taken when they went as additional labour to colonies which yet received them, and the rush of gold-diggers had merely begun. Therefore, the Imperial Government was able to reduce some of its military expenditure by cutting down its force in Australia. In 1848 troops had been sent from New South Wales to New Zealand on the orders of the Imperial Government, and at the end of 1849 the Governor of New South Wales was informed that the only forces which were to be maintained were to be garrisons for Sydney and Melbourne, and that the colony must undertake the charge of providing, maintaining and repairing quarters for Imperial troops. If more troops were required in future, New South Wales was to pay for them. (83)

It now remains to deal with the problem of transportation in so far as it affected the Australian colonies. This forms one of the least satisfactory aspects of Grey's Australian policy. Transportation to New South Wales had ceased by Order in Council

in 1840; Van Diemen's Land was now the main penal colony, but there were a growing number of free settlers in the island, and sooner or later these would begin to resent the criminal association of their new homeland. Stanley's measures with respect to Van Diemen's Land accelerated this process; they resulted in an over-accumulation of convicts, a lack of demand for their services, and corruption through the close contact of convict with convict. Gladstone, who had a short spell as head of the Colonial Office, after Stanley, proposed to suspend the introduction of convicts to Van Diemen's Land for a period of two years. A possible alternative destination for convicts lay in a proposal to found a new penal colony in North Australia. This was the position when Grey became head of the Colonial Office in 1846.

Grey confirmed Gladstone's decision about Van Diemen's Land. On November 15th, 1846, he instructed Sir C. Fitzroy to abstain from forming any penal settlement in North Australia. 1847 saw the tentative trial of a new system. In accordance with the latest theories on punishing and reforming criminals, convicts were first to undergo a period of separate imprisonment in Great Britain; this was to be followed by a period of labour on the public works either at home or at Gibraltar or Bermuda, to be followed by exile to the colonies, to which the men would go individually not collectively. The Government faced much criticism on this last proposal, and it was modified slightly. On the

expiration of half their sentence convicts were to be sent to the colonies as ticket of leave men; this would enable the Government to exercise a greater degree of supervision over them by assigning to each man the area in which he was to live. To earn their conditional pardons, as evidence of their industry, convicts were to pay back the cost of their passages to the colonies.

Ticket of leave men, however, would have to go to a penal colony, and that in reality only left Van Diemen's Land. Yet there seemed a limit to the number of convicts that this island could absorb. On August 7th, 1848, Grey addressed a circular to the Governors of various colonies making enquiries as to the practicability of introducing convicts. The colonies so addressed were New South Wales, New Zealand, the Cape, Western Australia, Ceylon and Mauritius. We have already seen what happened at the Cape when, before receiving the answer to his circular, Grey despatched convicts there. Ceylon and Mauritius returned unfavourable replies; in the former the lack of demand for skilled labour plus the climate, and in the latter the climate, differences of race, and language, and the facilities for obtaining ardent spirits, were put forward as objections. New Zealand represented the danger of possible collisions with the Maoris. There remained Western Australia and New South Wales.

The Legislative Council of New South Wales was guilty of swift changes of mind on this question. In August, 1848, the Legislative Council were in favour of receiving convict labour,

but among their stipulations was one that free emigrants had to be sent to counterbalance the number of convicts. Meanwhile various people connected with New South Wales had been representing to Grey the urgent need of that colony for labour; therefore, he rather unwisely decided to despatch a moderate number of ticket of leave men without a corresponding batch of free emigrants. The result of this was extensive anti-convict agitation in New South Wales, the colonists being sensitive at the thought that the former penal nature of the colony might be re-asserted, and the convict element swamp or spread corruption among the free settlers. A new Council refused to agree to Grey's proposals. Grey was slow to recognize the serious nature of the agitation in New South Wales, and was reluctant to give up his hopes of the colony becoming a receptacle for convicts.

In Western Australia his proposals met with more success, chiefly because that colony was in a very poor and struggling condition. The colony was made a penal settlement by an Order in Council of May 1st, 1849; ticket of leave men were sent there, and a limited number without tickets of leave, these latter for the purpose of labouring on the public works. The condition of the colony was vastly improved by this influx of cheap labour. Grey pointed out the difference between the creation of Western Australia as a penal colony and the proposed settlement in Northern Australia, which he had rejected. In Northern Australia there had been no settlers, resources, or a Government establishment; all these existed in Western Australia, where convicts

would not be kept to themselves but diffused among the community of free settlers, whilst care would be taken to add to the number of free settlers according to the rate at which convicts entered the colony.

In some remarks on a paper drawn up by Elliot and Murdoch on the subject of transportation, Grey, in 1850, was still confident that as a means of punishment and as a method of advantage to both Great Britain and the colonies concerned, transportation still had its uses:-

' ... I do not share in Mr Elliot's apprehensions that more convicts will require to be sent to Van Diemen's Land and Western Australia than these two colonies will absorb with safety. Provided due care is taken in the industrial as well as the moral training of convicts during their period of preliminary punishment ... I believe that their cheap labour will attract capitalists to take advantage of the great natural resources of these colonies.. Wealth will accumulate there very rapidly, and afford yearly increased means of employment...

But in order that the policy may prove successful, it is in my opinion absolutely necessary that Parliament should deal liberally with those colonies to which convicts are sent; the expenses of police, rendered necessary by the presence of convicts, must be paid by the mother-country; and above all, free emigrants (chiefly females) must be sent to these colonies in equal numbers with the convicts. If this course is pursued, I am persuaded

that New South Wales will again very soon desire to have convicts sent at least to the northern district, where there is so enormous an extent of country available for their employment; and I need hardly add that this is most desirable, since the more the convicts can be dispersed the better. '(84)

These remarks show how much Grey failed to perceive the storm which was blowing up in the colonies against transportation. His assertion about New South Wales was certainly not to be realized. Van Diemen's Land, which had so far been rather taken for granted in the question of a dumping ground for convicts (vastly increased in numbers as a result of the disturbances in Britain, especially Ireland, in 1848), was also becoming indisposed to admit more. With the number of free settlers growing, and with memories of the depression in the island at the time when Stanley was sending large numbers of convicts there, 'the Tasmanians', to use Morrell's vivid phrase, 'were determined to endure no longer the opprobrium of being the refuse-heap of the whole Empire, and no assurance that the refuse had been scientifically treated could shake their determination. '(85) In 1849, an Anti-Transportation League, the members of which were pledged to employ no convicts, was formed in Van Diemen's Land. Attacks on transportation were led by Adderley and Molesworth in the House of Commons, and in the course of 1850 Anti-Transportation Associations came into being in every

(84) Printed Paper 'Transportation and Emigration', Lord Grey's Remarks on this. Colonial Papers. Transportation.

(85) Morrell, chapter XVI, p. 425.

Australian colony bar Western Australia. These were welded together into an Australasian League for the Abolition of Transportation in 1851. Grey left office still refusing to acknowledge that transportation as a system whereby cheap labour could be used to build the developed institutions of a colony was played out, except in Western Australia. His successors were not so slow in realizing this, and in 1853 Van Diemen's Land became a free colony, though transportation to Western Australia did not cease till 1868.

Grey at the time of his fall from office was not very popular in the Australian colonies, largely as a result of his transportation policy. That he had striven to please the colonists as much as possible could not be denied, but on several important occasions he had gone farther in ignoring or remaining ignorant of that colonial opinion which it was his expressed aim in most cases to follow. His adherence as far as possible to Wakefield theories of land sale dissatisfied pastoralists and non-pastoralists, his proposals for a federation fell on deaf ears and yet were persisted in, and his policy on the disposal of convicts did not keep pace with Australian public opinion on that question.

G. New Zealand.

Looking back to the recent events which had taken place in New Zealand Grey might have expected that this area would have proved one of his biggest headaches. If in fact Grey believed this

he was to be agreeably surprised. New Zealand like all colonies had its own peculiar problems, but during Grey's tenure of the Colonial Office the country was at peace and prospered.

The early 1840's had witnessed a breach between the Imperial Government and the New Zealand Company, partly over the land claims of the latter. The authorities contested the claims of the Company to a vast amount of land supposedly purchased from the natives; to recognize these claims would anger the Maoris, and as they were yet the dominant race in North Island, and as there were no forces of British troops sufficiently large to overawe them, to do this would be suicidal. Moreover the Treaty of Waitangi of 1840, made with the Maori, had recognized the latter as owners of the land, from whom only the governing body in New Zealand could purchase land.

South Island was only thinly populated by Maoris, but it was there that the first great clash between them and the Company occurred. This was the so-called Wairau 'massacre', in which twenty-two settlers were killed. When news of this reached Britain confidence in the infant colony declined, and eventually the New Zealand Company was forced to request financial assistance from the Government, which was refused. The Company then appealed to Parliament and in 1844 a Select Committee, the chairman of which was Howick, considered the question. By a majority of one Howick's views on the subject were adopted in the Committee's report. Howick identified himself with the New Zealand Company. Like them he denounced the Treaty of

Waitangi as a mistake; the Crown should have been recognized as the owner of the land, and reserves of land should be retained for the natives, who, whenever their improvement permitted, should be employed in the civil service on an equal footing with the whites. Howick's verdict was completely unrealistic; the Maoris were the dominant race in North Island, were warlike and well-armed, the power of the authorities in the island was deplorably weak. How then could any other course be adopted than to recognize the natives as owners of the land? To talk of placing them on reservations ignored the whole balance of power in the North Island. More sensible were suggestions that an armed steamer be placed at the disposal of the Governor, and a militia plus a permanent native force organized.

Under the Governorship of Admiral Robert Fitzroy the condition of New Zealand deteriorated. One of his steps was to abandon the Government monopoly of land purchase; now any settler could buy from the Maoris, and inevitably disputes arose as to whether certain Maoris had in fact sold a particular stretch of land, whether they had a right to do so, whether the white claimants had paid for it, and the like. With no power behind him the Governor was forced to rely solely on conciliation, and this evident weakness aroused Maori contempt for the whites. Finally Fitzroy issued paper money on his own responsibility. The Government recalled him.

Before Fitzroy left there was open war in the north between

white and Maori, the immediate occasion for which was the famous incident of the flagstaff which the Maori persisted in cutting down. There were also conflicts further south where the Company's settlers were located. The first task of the new Governor, Captain Grey (eventually Sir George Grey), who in the autumn of 1845 had been removed from South Australia and directed to New Zealand, was to finish the war, which he accomplished with the aid of more troops and money. The Government monopoly of land purchase was re-assumed, and peace eventually made. (86)

In Britain, the quarrels between the New Zealand Company and the Government over land claims and financial assistance had reached their heights when Stanley was at the Colonial Office. Indeed his handling of New Zealand affairs has been more criticized than any other aspect of his colonial policy. These claims and quarrels were yet unsettled when Grey entered office. Meanwhile *had won over the Maori.* in New Zealand the firm yet tactful rule of his namesake, Governor Grey - no relation of the third Earl Grey - was, like Elgin, in the front rank of colonial governors, and it is to his credit that Lord Grey listened and deferred to the advice of this man, even though many of his opinions expressed in the Committee of 1844 were not held by the Governor. The story of New Zealand whilst Grey was at the Colonial Office is in the main the story of the activities of the Governor, who was given ample discretionary powers and was loyally supported by the Imperial Government.

There were, however, several questions in which Earl Grey
 (86) 'The Long White Cloud'. Pember Reeves, 1924. pp. 155-170.

played a more prominent part. Nobody had more hopes from Grey's accession to the Colonial Office than did the Directors of the New Zealand Company; in November, 1845, they had offered him the Governorship of the Company, stating that it was indispensable 'to acquire for the Company the presidency of a person of the highest political station.' Among the Directors who made this offer were E.G. Wakefield and Charles Buller. Grey refused to accept the Governorship, and replied that he would do more good for New Zealand by remaining unconnected with the Company, and by expressing an unfettered judgment. (87)

Despite this refusal the Directors hoped much from Grey. He had championed their views in 1844. There was now, however, the counteracting influence of Governor Sir George Grey, who was concerned to build a lasting peace with the Maoris, and who was rather dubious as to some of the Company's activities.

In August, 1846, there is a note in the Journal mentioning a visit Grey paid to Charles Buller's, there by appointment to meet Edward Gibbon Wakefield. What transpired at this meeting is not recorded, but Grey's personal contacts with the leaders of the New Zealand Company was in great contrast to Stanley's brusque dealings with them. (88)

The eventual settlement with the Company was favourable to it. Stanley had at the last promised material aid; Grey passed Acts

(87) Harington to Grey, November 18th, 1845. Grey to Harington, November 22nd, 1845. Colonial Papers.

(88) Journal, August 5th, 1846.

of Parliament making this a reality. The Government agreed to advance a sum to meet the Company's creditors; the Company was to be given the exclusive use of Crown lands in South Island, was to pay for it and dispose of it, though the Governor was to retain in his hands all negotiations with the natives. This arrangement was to be for an experimental period of three years, and if it failed the Government agreed to accept responsibility and to recognize the Company's liabilities. The standard Wakefield formula of a pound per acre for the land, and the expenditure of part of the land fund on immigration, was included in the agreement.

In 1850 this three years' term was drawing to a close; from the Company's point of view it had not been a complete success, and in that year it called for further financial assistance. It had succeeded in selling hardly any land; this was partly its own fault, as it had itself glutted the market by compensating its settlers in land for previous delay and difficulties. The result was that purchasers found that they could obtain land at a cheaper price from private owners than from the Company. This time, however, Grey was not so receptive to their demands. Perhaps some of Governor Sir George Grey's arguments had something to do with this, for the Governor disliked the division of authority in South Island. According to him the Governor had all the responsibility of acquiring lands but the New Zealand Company not the authorities derived all the advantage from them when acquired. When Earl Grey negatived the Company's suggestions,

the latter decided to surrender its Charter. In the meantime Wakefield in 1848 had transferred his affections to the Canterbury Association. In 1852 the Company was wound up. By Act of Parliament its debt to the Imperial Government was forgiven, and the first loan raised by a New Zealand Parliament was used to satisfy the outstanding claims of the Company. (89)

- Indicative of the growing prosperity of New Zealand were the colonization during Grey's tenure of the Colonial Office of two new settlements in South Island. In 1848 the Scottish Free Kirk Presbyterians founded Otago, and in 1850 the Canterbury Association ^{sent its first settlers,} worked in close conjunction with the New Zealand Company, and proposed to administer its lands on the Wakefield system. Wakefield had hopes that at last all his views on the ideal colonial society were to be realized, but again he was to be disappointed.

In the two Memoranda on Colonial Policy found in Grey's private miscellaneous colonial papers, the state of New Zealand is described in glowing travel brochure terms. The 1849 paper talks of two years bringing 'marvellous progress', with expanding trade and industry, and contented natives rapidly advancing along the road to civilization. The 1850 memorandum talks of further advances in prosperity.

With such prosperity some form of representative government seemed to be required, and for this settlers were clamouring when Grey left office. If Grey had had his way representative

institutions would have been granted to New Zealand when he first came into office.

When Stanley was in the Colonial Office, Stephen had drafted a constitution for New Zealand. This was largely adopted by Grey. This set up a threefold system of municipal, provincial and general government. Municipalities were to be combined into Provinces each with their own Governor and Legislative Council; there was to be a General Assembly to legislate on matters of common concern to all Provinces. The franchise was to be almost universal, though all electors were to read and write English (this effectively excluded the Maori). In 1846, Grey informed the Governor of the nature of the proposed constitution; Governor Grey persuaded the Colonial Secretary to allow the Royal Instructions of December, 1846, to become a dead letter, and to delay the putting into operation of the constitution for a few years in the North, until the natives were in a better position to take a share in the Government, and the numerical disparity between the two races in North Island was less marked. Earl Grey, therefore, decided to suspend any provision for representative government in any part of New Zealand for five years. After 1847 he left Governor Grey virtually a free hand. Earl Grey was preparing a bill dealing with the constitution of New Zealand when he left office. (90)

This elaborate constitutional machinery and the progress of colonization all tended to obscure the real problems of New Zealand.

(90) Morrell, chapter XIII, pp. 335-7.

The main one was the Maori. Dangerous when in a numerical majority, they might still be dangerous when confronted by increased waves of white settlers all eager for Maori land. The fact that Governor Grey postponed the establishment of representative institutions contrary to the wish of the Secretary of State shows that conditions in that country were by no means as rosy as Grey's memoranda for the cabinet tended to make them. The fact that Governor Grey asked for more troops is another sign in the same direction. Finally the correspondence between Grey and the Duke of Wellington brings out clearly this other side of the New Zealand question.

There is a very interesting memorandum, one of several, by the Duke of Wellington on the military situation in New Zealand which shows how precarious a situation could possibly exist in North Island should Governor Grey be unsuccessful in his efforts to conciliate the Maori. Wellington pointed out how little information there was on New Zealand. No roads ran through the country, much of which was covered with forest (all these remarks refer mainly to the North Island). As for the natives, they were warlike, knew the use of firearms, some had already had experience of fighting the whites, and their fortified villages were in good military positions. Wellington recommended fortifying the chief towns against possible attack; he urged that every colonist in the hinterland should be compelled to make a road connecting his dwelling with the nearest military post or town, or should at least clear the ground for such a road to be built. The necessity

of having full control over all maritime communications was stressed; guncraft of shallow draft, and steam tugs to move them with celerity were advocated, as was an accurate knowledge of all harbours and waterways leading into the interior.

Governor Grey had asked for 2,500 men. Earl Grey proposed to withdraw troops from New South Wales for service in New Zealand. Wellington stressed the necessity of having some troops that would be under the Ordnance, such as Artillery and Engineers, Sappers and Miners. He stressed the necessity of finding good accommodation for the troops, of placing all military stores in secure places protected from the weather, and of procuring a Field Train of Artillery drawn by horses or bullocks. Light wheel carriages with iron axle trees for the purpose of carrying provisions and camp equipage, plus mules for the Commissariat, were further recommendations made by the Duke (we must remember that Grey was Secretary of State ^{for War} and the Colonies and in theory was the main minister connected with the Army and its affairs).⁽⁹¹⁾

The removal of troops from New South Wales, which was carried out, only formed about a third of the number for which Governor Grey had asked. Grey proposed to make up the numbers by military pensioners, who would serve for a certain number of days in the year and at other times maintain themselves by their own labour. He hoped that in the areas dominated by the New Zealand Company, the latter would help with providing work, land and accommodation

(91) Memo on Defence of New Zealand, November 5th, 1846.
Colonial Papers. New Zealand.

for the proposed military pensioners. (92)

On October 30th, 1846, Grey secured Russell's assent to his proposal for sending out five hundred of these military settlers, but there occurred a hitch in his plans in trying to secure material support from the New Zealand Company. Eventually, however, bodies of military pensioners were sent out. The idea was that by sending such men, not only could the regular forces be reduced in number, but that the pensioners could support themselves and contribute to the prosperity of New Zealand at the same time; in time New Zealand would in this way be able to provide for her own defence and no regular troops would be needed. Governor Sir George Grey always maintained that these military settlements were successful. (93)

Thus one of the best things that Earl Grey did for New Zealand was to give Governor Grey his utmost confidence and the widest latitude of powers, even on subjects on which Earl Grey would normally have taken a different line. The more contentious aspects of the dispute between the New Zealand Company and the Imperial Government were settled by Earl Grey, and very favourable terms were given to what was New Zealand's first and foremost colonizing body. But the Company had in reality outlived its usefulness, and when it dissolved itself no great harm was done. The constitution devised by Stephen and Grey seems to be a very

(92) Memo. October 28th, 1846. Colonial Papers. New Zealand.

(93) Morrell. chapter XIX, p. 476.

over-elaborate one for the as yet small settlements in New Zealand, but its machinery was never tested whilst Grey was in the Colonial Office and Sir George Grey was Governor of New Zealand. As for the Maoris, under Sir George Grey's rule they flourished, and seemed to be on the point of assimilation with the white community. New Zealand was not, however, destined to avoid further clashes; the Maoris were yet the greatest landholders in North Island and as the number of white settlers increased and cast covetous eyes on Maori land, the inevitable happened. The Maori King movement and the prolonged war of the 1860's marked the decisive clash of the two races. What country has been able to avoid that last unhappy struggle between the primitive original possessors of the land and the thrustful white usurpers? Wellington's memoranda on defence and Grey's preoccupation on military settlements in New Zealand were then seen to have their practical value.

H. The West Indies.

The West Indies continued to be an area which caused great concern to the Imperial authorities. Wrangles over slavery and the actions of colonial legislatures in the Chartered Colonies, especially Jamaica, were the norm in the earlier years of the nineteenth century; colonial assemblies and race relations continued to be problems which confronted the Colonial Office, but in the late 1840's there was added another, the effects of free trade policies upon the West Indian staple crop, sugar.

The emancipation of the slaves was a blow to the colonial planters in that it threatened to deprive them of a guaranteed labour supply, and such was needed - in the absence of machinery - for the continued cultivation of sugar. Their fears were not unfounded. When the negroes finally became free, except in the small and densely populated islands, there was no necessity to work in the sugar plantations; they could derive subsistence from their own provision grounds. Cajoleries and threats could not make them into a reliable labour force for the sugar planters. Thus Grey's fears, expressed when Under Secretary, were realized; whether his idea of a land tax would have made the problem a less exacting one is another matter. Planters' crops diminished, and many planters went out of business; sugar plantations contracted in size.

Attempts to secure an alternative source of labour to the negroes were tried. Madeira, Great Britain, and parts of Europe, Indian coolies, Africans, to all these, various West Indian colonies and Mauritius (which being a sugar colony can be conveniently classed with them) had resort at various times. Lack of continuous labour was the reason assigned for falling sugar prices and for the depression in the industry, when a parliamentary Committee under J. S. Pakington (Grey's successor at the Colonial Office) examined the problems of the West Indies in 1842. The majority of the Committee sided with the planters' view that the best hope of a change for the better lay in ensuring increased immigration (despite the abuses and confusion which inevitably arose from the

immigration of different races, and which were denounced by various sections of the community in this country). A minority of the Committee headed by Howick believed that increased immigration was not the only answer to the problem; Howick believed that one main source of the depression was the ease with which land could be acquired, thus encouraging planters to try and cultivate too large and uneconomical an area, and that reduced expenditure, more economical cultivation, and experiments with new products instead of relying upon the one item of sugar, were some of the remedies.

The planters were not interested, however, in experimenting with new crops. They still continued to seek a solution to their labour problem by encouraging immigration; if a large labour force could be guaranteed they believed a return might be made to the palmy days before emancipation, and all talk of economy or more reliance upon machinery passed them by. (94)

As well as a guaranteed labour force, the planters also sought a guaranteed market. Their sugar was admitted into Britain at a lower rate of duty than sugar from elsewhere, such as Cuba. The planters had long been accustomed to this preference, and stated that with emancipation such a preference was more than ever necessary. They pointed out, with justice, that British West Indian sugar had to compete with slave-grown sugar from elsewhere, and of course the latter was cheaper. The West Indian planters believed protection was their only hope against losing the English

market to their competitors; only a higher rate of duty against slave-grown sugar would make up for its cheaper production.

The planters, therefore, viewed with alarm the growth of the free trade movement in Britain. The West Indian interest in the eighteenth century, and the old conception of a self-sufficient Imperial unit had lost acceptance with the rise of new theories as to colonies and empire. Buy in the cheapest market and sell in the dearest, give the consumer reduced prices by putting the lowest-priced goods within his reach, these were becoming the slogans of many politicians in the 1840's. Why should the consumer be penalized by having to pay high prices for his sugar, when cheaper sugar could be imported if the system of preferential duties were abolished? Was it not merely to protect a few West Indian proprietors? Did it not give a premium to inefficiency, to the uneconomical running of plantations, to over-emphasis on the cultivation of one particular crop? Did not the preferential duty system merely subsidize inefficiency? These were some of the questions which were asked with increasing frequency. Gone were the days when statesmen could seriously debate whether it was better to acquire a couple of sugar islands than the whole of Canada. When the Corn Laws, the keystone of the preferential duty system, were abolished, it could only be a matter of time before the sugar duties in favour of the British West Indies were swept away. The commercial arguments for protection no longer had validity, the West Indies were no longer such an important Imperial

possession, and even the moral and religious argument could be overcome by pointing out that Britain already sanctioned the importation of slave-grown coffee, tobacco and cotton.

The arrival of Grey and his party to office spelt the doom of preferential duties. As early as July 3rd, 1846, a Cabinet Committee, comprising Russell, Grey, Wood and Clarendon, was considering the question, and on July 20th, Russell outlined the proposed measure to the House of Commons. The preferential duties were to be abolished gradually, colonial sugar enjoying a progressively smaller advantage over that of its rivals, until by the summer of 1851 the duty on colonial and foreign sugar stood equal at fourteen shillings a hundredweight (this was for muscovado sugar; the duties on other varieties were dealt with in the same way). Some of the West Indian body realized that the preferential duty system had had its day, and that the admission of slave-grown sugar was inevitable, and voted with the Government; among them was Barkly, of whom we shall hear later.

In 1847 prices of West Indian sugar began to fall alarmingly low. On November 12th, 1847, an entry in the Journal states:-

'A meeting today at Ld John's about the sugar duties and the distress of the W.I. colonies - we decided that the arrangement with regard to the sugar duties must be maintained, and that we must do what we can to relieve the colonies in other ways ...'

Later information was not re-assuring:-

'... the state of the W. India colonies is becoming more and

more deplorable and it is quite obvious that a great run will be made not only on the Govt generally but personally against myself on account of their calamities. (95)

The financial panic in Great Britain in 1848 had its repercussion in the West Indies; various of their mercantile houses went bankrupt, credit became unobtainable. The Government made various monetary advances to some colonies, but the West Indian proprietors reverted to the idea of protection, at least until they had an adequate labour supply.

When Lord George Bentinck moved for a Select Committee of the House of Commons to enquire into the whole question, the Government found it prudent not to oppose the motion. All planters called before the Committee wanted some form of protection. The majority of the Committee reported against any claim to permanent protection, but recommended a protective duty in favour of colonial sugar for six years, in order to give time for other measures of relief to take effect.

The Government decided that some concession had to be made on the matter of sugar in view of the exceptional crisis in West Indian affairs. Russell announced to the Commons on June 16th, 1848, that the duty on colonial sugar would be lowered by annual stages until the duty stood at ten shillings a hundredweight, whilst the equalization of duty on colonial and foreign sugar would be postponed until 1854. At the same time a loan of

£500,000 was promised to encourage immigration.

It was on this day that the first mention was made by Bentinck of a charge that Grey had intentionally withheld from the Committee a dispatch from the Governor of Jamaica in favour of protection. Grey described Bentinck's charge as 'a most violent and ungentlemanlike attack.'⁽⁹⁶⁾ The failure to bring the dispatch before the Committee was not an intentional act on Grey's part, but it gave a hurdle to his enemies, and Bentinck, leading the Protectionists, was not slow to take advantage of the fact. Bentinck even carried his attack a stage further some days later:-

'Lord George Bentinck ... made most violent attack upon me for having in fact falsified the papers relating to the condition of the W. Indies laid before Parlt... I was just reading the account ... when Ld John himself came in, and talked to me about it. I told him that on monday I shd give notice of my intention to make a statement on this subject the next day in the Lords wh. he quite approved. This business so disturbed me that I could hardly settle to anything all day ... We thought 2 or 3 days we were sure to be beat and go out ...' ⁽⁹⁷⁾

Bentinck continued to press his attacks in the Commons. Grey had as solace kind words from the Queen before he made his statement in the House of Lords, where Stanley violently attacked him though receiving no encouragement from the majority present. Grey

(96) Journal, June 17th, 1848.

(97) Journal, June 24th, 1848.

had also to face violent attacks from newspapers such as 'The Times' and the 'Morning Chronicle' on this question. However the Sugar Bill, to Grey's astonishment, did pass the Commons.⁽⁹⁸⁾

It was not received with satisfaction in the West Indies. The immediate reaction of the Combined Court in British Guiana was to refuse to vote money for the Government of the colony. The other West Indian colonies looked upon the measure^{as} 'altogether inadequate as a measure of relief.'⁽⁹⁹⁾ In Jamaica the Assembly passed a bill lowering the salaries of all the Executive from the Governor downwards. When the Council refused to accept this, supplies partially stopped, and the Assembly refused to exercise its legislative functions. The Governor resorted to a new Assembly, and the West Indian body in England did not encourage its supporters in Jamaica to go to extremes, so that by the end of 1849 there was a relaxation of tension in that colony.

Grey's conviction of the soundness of the policy adopted with respect to the West Indian colonies remained unshaken. He regarded the distress existing in the West Indies as 'a subject with which departmentally the Colonial Office has nothing to do.'⁽¹⁰⁰⁾

Nevertheless as the West Indians were desperately in need of labour, Grey did all he could to meet that need, by suggesting

(98) Journal, June 27th, 29th-30th; July 11th, 1848.

(99) Journal, August 22nd, 1848.

(100) Memo on Colonial Policy, February 8th, 1849.
Colonial Papers.

schemes to bring back the negroes to the plantations, (including his old idea of a tax on land), and by encouraging immigration. The flow of coolies to most of the West Indian colonies was revived, and gradually the condition in these islands improved.

Let us examine in more detail the conditions in one of the West Indian colonies (though a sugar colony, strictly speaking not in the West Indies at all), British Guiana. It was that region which with Jamaica afforded Grey the most concern in these critical years, and the whole subject excited considerable discussion in Parliament.

The Executive Government of British Guiana was vested in a Court of Policy composed of the Governor and four officials, and five unofficial members indirectly elected. The legislative organ was a Combined Court in which all members of the Court of Policy, with the exception of the Governor, sat; along with them were six Financial Representatives elected on a narrow franchise. The Combined Court dealt primarily with the raising of taxes. The reason why a greater degree of representative government was not entrusted to the colony was well explained in a despatch from Grey to Walker the Secretary, then acting Governor, on September, 1848:-

'In these times, it is for the interest of every government .. to devolve responsibility upon local legislatures ... If H.M. Govt forbears, in this case, to delegate the uncontrolled management of the affairs of a colony to local bodies, it is from the fear

that it might thereby fail to acquit itself of the duty which it owes to the colonial community at large, and especially to those classes of its inhabitants which, from want of instruction, are incapable of securing for themselves, by the intelligent exercise of political franchises, a real representation of their interests in the colonial legislatures. (101)

In 1841 a Civil List had been voted by the Combined Court, and this was not due to expire until 1854. If any of the offices charged upon that List became vacant, the Combined Court had the power of requesting that a reduction should be made in the emolument accruing to that office, and before an appointment was made the request would be considered. When Sir H. Light relinquished the Governorship of the colony in 1848, the Combined Court - the planters being exasperated at what they considered to be inadequate measures for dealing with the commercial distress - proposed a reduction in the Governor's salary, and at once proceeded to strike off the amount from the estimate. When the Lieutenant-Governor refused to agree to this, the Combined Court refused to vote the annual taxes. An important constitutional question was thus raised. The present salaries of the Executive officers, including the judges, had been guaranteed until the Civil List expired in 1854; in 1848, therefore, the Combined Court was arrogating to itself a power which it did not possess. If this usurpation were to pass unchallenged the Executive would

(101) 'British Colonial Policy' Select Documents.
Bell & Morrell, 1928. p. 113.

be entirely at its mercy. On September 30th, the Combined Court allowed the Tax Ordinance to expire, and from that date the whole revenue of the colony, apart from small sums derived from permanent taxes, ceased. (102)

Grey's first task was to find an able man to take over the Governorship of the colony at this critical period. His choice was a good and bold one. Acting on a suggestion from Charles Wood he offered the Governorship to one of the ablest of the West Indian proprietors in Britain, Henry Barkly, who himself possessed estates in British Guiana. Barkly was an opponent of the Whig Government, though a moderate one. Again, as in the case of Elgin, the appointment of a man of different political principles to himself paid dividends to Grey. Not every Colonial Secretary would have been so imaginatively unorthodox. Barkly accepted the offer on November 22nd, 1848.

Upon his arrival Barkly found that he had the means of paying the salaries charged on the Civil List, but had no money for any other purpose. Meanwhile early in 1849 the planter party and their English supporters had secured a Select Committee of the House of Commons to enquire into the state of Guiana. At one time Grey was in hopes that the Committee would recommend that the Imperial Parliament should enact legislation to solve the financial difficulties of the colony, and that in such an event the colonists could be palliated by an increase of power to the

inhabitants.⁽¹⁰³⁾ On June 1st, 1849, however, Grey wrote to Barkly stating that there was no chance of obtaining such assistance from Parliament, and that in a friendly talk with Peel, the latter had expressed the inexpediency of any application to Parliament for additional powers, as in the then state of the Commons Peel was sure that such would not be granted. Therefore, the whole problem rested with Barkly to resolve.

Fortunately Barkly was helped by the final Report of the Select Committee, which stated that the Combined Court had no right, considering the agreement which bound it, to set about the revision of the Civil List. The extreme party among the planters, despite the Report, still resolved to persevere in opposition. Eventually finding they were losing support, they resigned their seats in the Combined Court. Barkly thereupon carried through the Court of Policy an ordinance altering the franchise. Even before the Select Committee had reported that more power should be given to the colonists with respect to the administration of their own internal affairs, Barkly (Grey having recommended it to him previous to his departure) decided to widen the franchise, and thus to split the alliance between the extreme wing of the planters and a colonial Liberal movement. The new Franchise Bill admitted 'just so much popular influence as will neutralise but not overwhelm the Plantercracy which has hitherto been paramount.'⁽¹⁰⁴⁾

(103) Grey to Barkly, April 16th, 1849. Private Correspondence.

(104) Barkly to Grey, Sept. 4th, 1849. Private Correspondence.

Until a new Combined Court could be formed under the new law, Barkly succeeded - partly by judicious ^ureductions in salaries and expenditure, of which Grey was very doubtful - in getting the taxes renewed, Grey expressing the hope that the Combined Court would restore some of the votes to their former amount. (105)

The last serious challenge the Government had to face in the House of Commons to its Guiana policy came from a motion by Joseph Hume - that 'bugbear' of all Colonial Governors and the Colonial Office - advocating that British Guiana be given responsible government. This was defeated. The opposition party among the planters led by Peter Rose attempted to continue their alliance with the 'movement' party to make their opposition to the Executive Government more effective, realizing that they were safe in agitating for changes in that no low rate of suffrage such as the 'movement' party desired would be granted by the Imperial Government. (106)

In the autumn of 1850 Barkly was worried by the fact that the Combined Court might again stop the supplies, this time in calling for a more liberal constitution. Again Barkly, like the wise statesman he was, resolved to act first; he realized that the Government would be strengthened if it could prove that a reasonable offer of representative government had been made, only to be rejected by the extremists. Therefore, he guardedly hinted at the

(105) Grey to Barkly, August 1st, 1849. and Aug. 14th, 1849.

(106) Barkly to Grey, April 18th, 1850.

addition of the Mayor of Georgetown to the Court of Policy and the addition of four members to the Combined Court. This had the effect of shaking unanimity in the Reform Association 'as many of the Planters were very desirous of a compromise, being afraid of the effects of the continued agitation ... on their Laborers' minds.' (107)

At this time the sugar crop was short because of bad weather. As a result discontent was on the increase, and as usual the planters were calling for increased immigration. This demand Grey did his best to comply with. No greater evidence can show how completely Grey trusted these Governors whose abilities he was sure of to act at their discretion, than the remarks he made to Barkly, when the latter had criticized one of Grey's plans on how such immigration was to be conducted:-

'I shall be very glad to receive from you officially any further remarks which you may think necessary on the subject of indentures and they shall be very carefully considered. I can assure you my only object is to come to the conclusion which is really best for all the parties ... and if I have fallen into any misapprehension on the subject I shall be very glad to be set right.' (108)

Again fortune favoured Barkly and Grey. The West Indian proprietors in Great Britain did not align themselves with the Guiana Reform Association; and themselves submitted moderate

(107) Barkly to Grey, September 27th, 1850.

(108) Grey to Barkly, February 28th, 1851.

proposals for constitutional changes not greatly differing from Barkly's. These Grey advised Barkly to adopt. On June 26, 1851, Barkly could report that he had succeeded in persuading the Court of Policy to pledge itself to legislate on the basis of these constitutional changes submitted from home. He was also at the same time able to report that the Reform Association was tottering to its fall, and that the planters were enjoying increased prosperity:-

'the retention of the great bulk of the Coolies has put an end to all fears of a rise in Wages, which could alone retard the restoration of prosperity.' (109)

As Barkly stated to Grey:-

'the Sugar Market is our Barometer whose continuous fall as surely portends a storm, as its rise indicates sunshine'

So long as the planters enjoyed prosperity Peter Rose and the politically-minded did not obtain great support in the colony:-

'... the Colonists ... except when excited by pecuniary losses ... seldom look closely at Politics ...' (110)

This rising prosperity Barkly believed to be threatened by the inability of planters to learn from the lessons of the past; once more there was a tendency to over-extend cultivation and by competing for labourers to force wages up to an uneconomical level. This in its turn led to calls for increased immigration, and

(109) Grey to Barkly April 15th, 1851. Barkly to Grey, June 26th, 1851.

(110) Barkly to Grey, December 28th and July 12th, 1851.

abuse of the Government when sufficient immigrants were not forthcoming. Yet despite this disturbing tendency Barkly was on the whole confident of the future. There was a growing interest in machinery to take the place of much manual labour, attention was being at last paid to such subjects as drainage, and British capital was again being attracted into the colony. (111)

Finally the retirement through ill-health at the end of 1851 of Peter Rose removed Barkly's most formidable antagonist:-

'Few but Mr Rose indeed, could have kept discontented Planters, intriguing Missionaries, ambitious Men of Color, and Bermudan Republicans, in anything like the resemblance of a Party ..' (112)

Thus when Grey left office the crisis in the affairs of British Guiana - as in Jamaica - had been surmounted, largely thanks to the Governor Grey had chosen, and the colony's affairs were running in more normal channels. Guiana in fact prospered; the subsequent history of Jamaica, largely because of the activities of its age-old Assembly (it can be little wonder that Grey was chary of granting more representative institutions to the West Indian colonies with the example of the Jamaica Assembly before him) was more sombre. Given Grey's views on free trade it cannot be expected that during his tenure of the Colonial Office West Indian politics would be tranquil, but free trade as against

(111) Barkly to Grey, October 12th, 1851. Copy of Official Despatch no. 160. Nov. 12th, 1851.

(112) Barkly to Grey, December 28th, 1851.

protection was to be the dominant motif of the later nineteenth century. Most of the West India colonies realized this and, despite hardship and crises such as the ones just described, re-adjusted themselves to this fact. On the whole they continued to compete successfully with foreign sugar in the British market, until the close of the century when the production of sugar from beetroot dealt them a cruel blow.

J. Ceylon.

Of all the colonies with which Earl Grey had to concern himself, Ceylon was to cause him more worry and trying moments than anywhere else. Ceylon also provided the most dramatic episode in the period of his administration. For his appointment of a Governor and for that Governor's actions Grey was to be criticized severely in Parliament and Press, and a Select Committee over two sessions of Parliament was to probe deeply into Ceylon affairs. For these reasons and also the fact that the Ceylon story has only been briefly told elsewhere it is perhaps possible to justify a larger amount of space devoted to the story of that island than at first glance it would appear to justify.

At the outset Earl Grey regarded Ceylon 'as the best Colonial Government there is.' (113) The information sent to the Colonial Office from the island gave no cause for anxiety, indeed the reverse. In 1846 the Governorship of Ceylon fell vacant, and the

(113) Grey to Torrington, January 22nd, 1847.

question arose as to who was to be appointed. The Colonial Secretary in Ceylon was Sir James Emerson Tennent, formerly a member of Parliament who in his later political career had been a follower of Sir Robert Peel. Tennent was an Irishman, a political opponent, an able man but known to be exceedingly ambitious, with a reputation for intrigue and the arts of 'management' and for being quarrelsome; for these reasons Russell and Grey both agreed that he could not have the vacant Governorship, though he requested it. Grey would have liked to have given Charles Hay Cameron, a jurist and a man who was intimately acquainted with Ceylon (being appointed in 1823 as a Commissioner of Enquiry to the island) the appointment, but Russell had other ideas. The names of Cameron, Charles Villiers, Stanley (probably 'Beau' Stanley), Parker, and John Lefevre, were all mentioned before the name of Lord Torrington appeared in the correspondence of Grey and Russell. (114)

Torrington appears to have been a private friend of Grey's, probably being acquainted with him through the latter's brother, Charles, who like Torrington had held a position in the Royal Household. The seventh Viscount Torrington was a descendant of that Byng who had been shot 'pour encourager les autres,' and in his blackest moments when he saw disgrace before him he was wont to compare himself with his unfortunate ancestor. From being in

(114) Russell to Grey, November 9th, December 8th, 29th, 1846.
 January 1st and 6th, 1847.
 Grey to Russell, November 9th, 1846.

the Royal Household, Torrington became the manager of the South-Eastern Rail Road, and this too gave him a further point in common with Earl Grey. Torrington's thoughts dwelt, however, on a colonial governorship, and with Grey at the head of the Colonial Office the moment seemed opportune for obtaining one. It was not necessarily an error to appoint to a Governorship a man who had served no apprenticeship in colonial administration previously, but obviously unless that man was very talented and able it was not a wise step to take. However, Torrington was offered the governorship of Ceylon and accepted it. Russell was at first rather dubious over the appointment, but gave his consent to it. (115)

Torrington arrived in Ceylon towards the end of May, 1847. It was not long before he and Grey both received something of a shock. They had conceived that Ceylon was one of the most prosperous of all colonies, and that there was a substantial surplus between revenue and expenditure; all that needed to be done was, in line with sound free trade theories, further to develop Ceylon's main industries, of which coffee-growing was the chief, by repealing export duties or at least reducing them, and remodelling the entire customs tariff. To make up for any loss of revenue through this, resort could be had to direct taxation, and Grey had recourse to his favourite remedy of a land tax which he recommended to Torrington to attempt. Torrington found the financial situation was alarming, and that there was in the previous year an excess

(115) Russell to Grey, January 27th, 1847.

of expenditure over revenue. The amount of silver in the island was small, as was the surplus between expenditure and revenue; there was not sufficient money for commercial purposes, and the condition of the Banks was not satisfactory. As for the roads which were necessary to open up the island, to exploit economically good land in the interior, and to transport the planters' crops to the coast, not one of those which the Colonial Office had believed to be in existence was properly finished or useable. (116)

Towards the end of 1847 Torrington outlined his proposals for remedying the financial situation, and also for carrying out Grey's free trade ideas. All export duties were to be abolished, except that on cinnamon which was drastically reduced. This would result in a loss to the revenue of £25,000 per annum. To remedy this, Torrington proposed some new direct taxes - the imposition of a land tax without an adequate survey having been found to be impracticable - which included licensing firearms, a dog tax, and a shop tax. At the same time a Road Ordinance was to be framed providing for six days' continuous labour on the roads for all able-bodied men, European and native, unless they paid three shillings for the commutation of their services. The colonial government in the present state of its finances, could not embark on great expenditure on roads. At the same time Torrington wanted to see the £24,000 contributed by the colony to the British Treasury for the support of the military stationed in the island abolished.

(116) Torrington to Grey, June 6th and June 9th, 1847.

Grey approved of Torrington's new taxes and the proposed Road Ordinance. Indeed he proposed carrying the latter a state further:-

' ... to impose a poll tax of 10/- a year the penalty for default being the exaction of labour reckoned at such a price as to make it clearly the interest of the people to prefer the money payment. This would create a fund not only for the improvement of the roads but for other local purposes, especially education and relief to the sick and infirm.' (117)

As for the £24,000 paid into the Military Chest, Grey had remonstrated with the Treasury, Russell and Wood, but all to no avail. The economy campaign in Britain was too strong to risk a cession of claims against Ceylon for help in supporting the military established there.

At the time Torrington was introducing his new taxes, another set of important problems lay yet unresolved. These concerned more especially Kandy, the central district in Ceylon, once a Kingdom, and the last area to come under British rule. Kandy had been rather remote from the main lines of development of the colony as a whole, but this isolation was coming to an end. New roads were being opened up into the interior, and coffee planters sought lands for their crops in the ancient Kingdom. The influx of planters of course immediately created discord between them and the Kandians, but the main problem was not this but the fate of the Buddhist religion.

(117) Grey to Torrington, May 19th, 1848.

Clause Five of the Convention of March 2nd, 1815, made after the close of the second Kandyan War, stated:-

'The Religion of Boodhoo (Buddha) ...is declared inviolable, and its Rites, Ministers, and Places of worship are to be maintained and 'protected'.⁽¹¹⁸⁾ This meant that the British authorities took over from the dethroned Kings of Kandy the appointment of managers for temple lands, and the task of giving formal acknowledgment to elected priests. They also took responsibility for the custody of Buddha's Tooth (a relic of great veneration, supposed to be one of the actual teeth of the Buddha, and brought from India in the third century), the tradition having grown up that whoever possessed the Tooth was the lawful ruler of the island.

In 1844 Stanley, determined not to give encouragement to a non-Christian religion, withdrew the Government's responsibility for the appointment of priests and managers of temple lands; there was to be no subsidy or any grant to the Buddhist Church, and the Tooth was entrusted to the care of the priests. Thus the British Government was withdrawing from its undertakings given in the treaty of 1815. What authority was now to give validity to the appointment of managers of temple lands and priests? Earl Grey believed that Stanley's decision was a proper one, but his new Governor took a more realistic view of the question.

(118) 'Ceylon'. S.D. Bailey, Hutchinson's University Library, 1952. p. 84.

Torrington pointed out that previously the British Government had appointed stewards of Temple lands to manage these properties, enforce their rights and collect dues:-

'We now withdraw from all interference and the question arises amongst themselves who is to replace that power which we vacate particularly in the nomination of persons to manage their lands - without some law nobody will pay their dues to them. The Government here has already told them they must elect their own officers, ... who are the parties who have a right to vote, and who to decide on the validity of that Election. It will not do for me to say settle it amongst yourselves, that would only cause murder and bloodshed.' (119)

This uncertainty was causing dissatisfaction, as was the fact that the sacred relic, the Tooth, was no longer kept safely by the governing power, to whom by long tradition it belonged. The Tooth was vulnerable to the attempts of adventurers to possess it and thereby declare themselves the legal authority.

On July 5th, 1848, Torrington reported that there had been some disturbance in Kandy 'regarding these new measures' (the new direct taxes):-

'In endeavouring to obtain a census...a report was about that 30 new taxes were to be put on, and women and children were to be taxed and the women's breasts measured... the whole of the disturbance was caused by a Rascally Malabar (who says he is to be King).. the Buddhist Priests are dissatisfied at their affairs not being

(119) Torrington to Grey, August 18th, 1847.

settled and have assisted the Malabar Pretender..'

These disturbances flared up into a revolt on July 28th. The revolt was confined to Kandy. According to Torrington the plans for it had long been laid, and its origins lay in religious grievances. Torrington reacted with vigour. There was no time to re-assemble the dispersed Executive Council, so after consulting with what few advisers he could find, he put Kandy under martial law, and immediately despatched there more troop reinforcements; the Executive Council subsequently gave their full approval to these measures. The revolt was soon quelled, and then began the punishment of the guilty. The Pretender, after being flogged publicly, was transported for life; a Buddhist priest was executed in the full canonical robes of his order; and by the time martial law had been lifted in October, eighteen had been condemned to death, twenty-eight to transportation, and sixty-six to other punishments, usually of fifty lashes and a period of imprisonment with hard labour. (120)

The punishments appear rather drastic, probably as a result of the fears aroused by the totally unexpected revolt. Torrington's reaction was typical of the Ceylon officials:-

'... we can place no reliance on them, their treachery to us is of the deepest dye.' (121)

Yet one must remember that the system of punishment in vogue in

(120) 'Ceylon'. S.D. Bailey. Hutchinson's University Library. 1952. p. 108.

(121) Torrington to Grey, August 11th, 1848.

in Britain was by no means mild, witness the number of transportations during the Chartist demonstrations, and the fact that flogging was still a recognized punishment in the armed forces.

What the revolt does reveal was how poor was the intelligence system, and how out of touch Ceylon officials were with native opinion. Torrington's measures to crush the revolt undoubtedly saved the coffee estates from destruction, and with them the invested capital of the planters. How far, however, were the Governor's measures the cause of the revolt? Torrington reported to Grey that an attempt was being made by certain groups in Ceylon to blame the new taxes for the outbreak; doubtless, he stated, the same attempt would be made in Britain. He declared that the new taxes had nothing whatever to do with the rebellion. Yet the first disturbances on July 5th, had, as we have seen, been ascribed to the result of the new measures. by Torrington himself. The main cause of the revolt was in the Governor's view to be ascribed to the religious question:-

'... from the first moment which the British Government violated the Treaty of 1815 ... a blow was then struck at Budhism which each year has been more severely felt. Temples were without Head Priests, those who act cannot loyally enforce their rights and are cheated of their dues. The Temples for want of these means are falling into decay. This is felt equally by the Chiefs who are a sort of lay Priests... They took over the Tooth from us with evident dislike, in our hands the prized Treasure was safe,

and possibly our custody of it increased its value in the eyes of the mass of the people. They cannot trust one another and there is the greatest danger of the Tooth being carried off.' Other reasons for the revolt given by Torrington were that Dr. Elliott, editor of the Colombo 'Observer' had been inflaming the natives by talk of political rights, that the Kandians had disliked the coffee estates on land where they were wont to pasture their bullocks, and that this had led to endless feuds between planters and Kandians, that the character of the planters themselves, their habits (particularly with the Kandian women) had disgusted the Kandians, so that with the latter the term Coffee Planter had become one of reproach, and that the roads opening up the province to Europeans and European influence were disliked by the native authorities. (122)

Grey was impressed by the promptitude with which Torrington had crushed the rebellion, and announced that he would give the latter full support. His private letter continued:-

'I see no reason to believe that your new taxes were the real cause of the insurrection or that I ought to retract the opinion I have expressed in favour of these measures. If as I believe the measures are right it is clear that they ought to be strenuously maintained, and that to give them up in consequence of the rebellion would only create an impression of feebleness and lower the authority of the Govt without in the slightest degree appeasing discontent.' (123)

(122) Torrington to Grey, August 11th, 1848.

(123) Grey to Torrington, October 5th, 1848.

Russell, whilst praising Torrington's action in putting down the rebellion, was more dubious about the part the new taxes had played in causing it; he was inclined to think them 'foolish', but had only the suggestion of reducing salaries and employments - not a very effective mode of gaining efficiency in a Government - to offer as to means for replacing the loss of revenue. Grey defended the Governor's measures, and stated his opinion that Torrington, unless he was recalled, had a right to a decided support from the Imperial Government. (124)

From all the evidence it seems that the new taxes did play some part in sparking off the insurrection, though more fundamental questions such as the religious one were no doubt more important underlying causes. Torrington himself denied any connexion between new taxes and rebellion; Grey in Britain defended this thesis in Parliament and in correspondence with Russell. The next act of Torrington's, therefore, can only be described as the grossest of blunders, for he repealed some of the new taxes, and thus virtually admitted the connexion between the two subjects. Grey was annoyed, and we can understand why:-

'... it appears to me in the highest degree impolitic and injudicious, and... it will have a very bad effect indeed in the parliamentary discussions I anticipate both on your position and on mine. The decided approval I had given to your measures will

(124) Russell to Grey, October 6th, 9th, 21st, 1848.
Grey to Russell, October 21st, 1848.

now of course be turned against me, and the pains I had taken to show them to be sound will now only afford to our opponents the means of representing my judgment upon the whole affair to have been ludicrously erroneous. In spite of all arguments to prove the taxes, unconnected with the rebellion, it will now be said that you have yourself practically confessed the truth to be otherwise... In matters of finance, it is always very dangerous to be unsteady in your policy - to lay a tax on one day and take it off the next, necessarily leads to the conclusion that you have either in the first instance acted hastily and inconsiderately or that you have afterwards yielded to clamour against your judgment and this tends to destroy confidence in your Govt, but to do this when the new taxes are said to have been the cause of insurrection is to give your opponents plausible grounds for imputing the bloodshed which has taken place to your want of ordinary prudence...I do not see how I shall be able to avoid for my own justification expressing my disapprobation in somewhat severe terms in my official Dispatch, as the whole correspondence must be laid before Parlt. '(125)

Torrington's defence of his conduct in this respect was by no means a good one. He claimed that he thought that it was impossible that the new taxes and the revolt could have been associated in peoples' minds, thus contradicting his own statement in the letter of August 11th, when he stated that no doubt people

(125) Grey to Torrington, December 22nd, 1848.

in Britain would attempt to show a connexion between the two. He claimed that the discussions in Parliament on the taxes had partly brought about their repeal, by giving the people a notion that Parliament did not wish them to pay such; yet repealing them was precisely the way to arouse contempt of Torrington's Government amongst the native inhabitants, and to encourage them to further criticisms and acts of disobedience to procure the withdrawal of other measures. The repeal would also encourage the opposition amongst the European inhabitants to arouse criticism at home and in Ceylon, since the Government of the island had shown itself so amenable to criticism. Torrington also claimed that the new taxes had been abandoned because they were not a financial success; he gave reasons as to why this was so, but these reasons (for example that the people would rather have destroyed their guns than pay taxes on them) should have been foreseen before the taxes were levied. His claim, therefore, that he could not admit to any error of judgment seems very wide of the mark. (126)

Torrington's conduct in suppressing the rebellion, had been severely criticized by the British Press, which accused him of undue severity. These accusations led H.J. Baillie, M.P. for Inverness, backed by that indefatigable Joseph Hume, M.P. for Montrose, who was ready to see colonial oppressions in every land under British rule, to demand a Select Committee to investigate the affairs of British Guiana and Ceylon. The Committee was duly granted, though Grey had wanted the call for it to be resisted if

it were practical politics. It was not practical; Peel's speech was very effective in swinging opinion round in the House to favour the enquiry. In particular the execution of a Buddhist priest in his religious dress came in for great criticism. The defenders of the Government were, in Grey's opinion, not very impressive, and he was appalled by Russell's feeble answer to the critics from the Tory and Radical ranks. It was one of the least agreeable evenings Grey had ever spent in the House of Commons, for he had gone there especially to listen to the debate. (127)

Torrington was not a man who could quietly endure misrepresentation and criticism. Perhaps he was haunted by the spectre of Admiral Byng. His letters to Grey became increasingly concerned with justifications of his own conduct and abuse of his opponents both in the island and in Britain. At times these letters have an hysterical flavour about them. Torrington's sensitivity to criticism led him into further errors of judgment. One of his most persistent critics was Dr Elliott of the Colombo 'Observer'; in September, 1849, Torrington wrote to inform Grey that he had struck a blow against this man by allowing a rival local newspaper to have a copy of a despatch of Sir Colin Campbell's (the last Governor) containing the information that Dr Elliott had offered to sell himself and his paper to Government, but that Campbell had declined to purchase him. This news the paper was ordered to publish as if it had been received from Britain. When an

(127) Grey to Torrington, February 21st, 1849.
Journal, February, 17th and 20th, 1849.

indignant Dr Elliott enquired from Grey as to the source of the information, Grey was obliged to state that neither he nor the Colonial Office were responsible for the insertion of the despatch in the paper. Torrington, therefore, stood convicted of underhand dealings; Grey would have had no objection to a publication of the despatch if the Governor had acted openly in the matter instead of trying to conceal his participation and instead of attempting to give a misleading impression of the source from whence the despatch came. Grey was inclined to blame another rather than Torrington for this measure, this other being Tennent, to whose advice Grey believed Torrington to be too favourably inclined. (128)

Perhaps there was more justification in the point made by Torrington that criticism in Ceylon and Britain was harmful to the former. Enclosed in one of the Governor's private letters to Grey is one from the Singhalese head of police at Kandy. This shows what effect the whole process of Parliamentary Committees of Enquiry could have on an Eastern population:-

'They (the people of Kandy) think any gentleman in the Civil Service who is not abused, more influential and better than the Governor and Colonial Secretary whom they see constantly abused... They think if these things were false the Governor and Colonial Secretary would punish the people who tell such lies; - but as

(128) Torrington to Grey, September 10th, 1849.
Grey to Torrington, November 19th, 1849.

they see no punishment and no stop put to it, they think the Governor and Colonial Secretary bad people... and they are not respected in consequence.

In Kandian King's time ... if people in authority fell the first symptom of it was that common people spoke ill of them and were not punished... These people say, the taxes were repealed because they were not satisfied with them, and because they rose and opposed them... (129)

Meanwhile the Committee of Enquiry in Britain was pursuing its investigation. Torrington had hoped that favourable evidence as to his Government and the suppression of the revolt would have been supplied by Wodehouse, the Government Agent of the Western Province, who had gone home on leave. Torrington's opinion of this gentleman, like his opinion of Tennent, quite frequently varied, but at the time of Wodehouse's departure, it was a very high one in the latter's favour. Wodehouse was Tennent's personal enemy; he had a grievance in that he considered that Tennent had been made Colonial Secretary by Stanley over his own head. Perhaps the fact that Tennent and the Governor appeared to be on friendly terms, led Wodehouse to the step of giving evidence to the Committee in a sense directly contrary to the advice he had given as a member of the Executive and Legislative Councils, at the time to the Governor. Torrington was of course surprised and indignant at this latest development. He claimed that Wodehouse had approved of the new taxes and martial law, though he now told

(129) Torrington to Grey August 11th, 1849~~7~~ enclosing a letter from Loka Banda.

the Committee that the first were the cause of the revolt and that the latter was unnecessary. Now Wodehouse in the Governor's eyes was a man to be avoided 'as one does a pestilence,' and he began to probe into the scandal of Wodehouse's debts to natives in the colony and to charges of corruption in his administration of his office. (130)

To Grey Torrington appeared to be becoming more involved in personal disputes than appeared to be wise. Complaining letters continued to reach Grey, and Torrington even addressed one to Russell, who was angry at its tenor. Grey thought it prudent to give some advice to Torrington as to how to conduct himself:-

'If we were equally thin-skinned what would become of us ? As for me there are 3 or 4 newspapers whose principal business it seems to be to make ~~you~~^{out} that there is no meanness or dishonesty I am not constantly committing. Only keep yourself cool, play your game cautiously... and I have no doubt the Committee will end in... your triumph. But I must say that while you storm at your enemies you do not avail yourself as you ought of their blunders ... I wish you would always remember that a Gov. of a Colony gains infinite strength ... by conducting every correspondence with the most rigid attention to official forms, and with a judicial gravity and calmness.' (131)

Ceylon affairs were now drawing to a crisis with regard to the Parliamentary Committee of Enquiry, yet strangely enough the island

(130) Torrington to Grey, April 4th and October 9th, 1849.

(131) Grey to Torrington, November 24th, 1849.

itself had surmounted its financial difficulties, and was in a very prosperous condition, and - despite the fears of the Governor - the majority of its inhabitants remained settled and peaceful. At the end of 1849 Tennent, also on leave, left for Britain. Torrington warmly recommended him in a letter to Grey, as being a firm friend and as having power to refute all statements made by Wodehouse and others to the Committee. Tennent's adherence to the Governor's side could be further guaranteed if his personal ambition were satisfied and he was made a baronet instead of a knight. When Grey still expressed distrust of Tennent, Torrington again turned a verbal somersault and accused his Colonial Secretary of causing nearly all the troubles which had befallen the Governor, spoke of Tennent's 'treachery' and stated that he had no desire for his return. Apart from the fact that Tennent was on bad terms with nearly everyone else in the Ceylon Civil Service the reason for the Governor's assertions is not apparent. Perhaps it is a mistake to look for consistency in Torrington's opinions of individuals; he was a man who allowed himself to be too much influenced by the passion, prejudice or fear of the moment. (132)

Not that Grey himself was free from differing opinions on individuals. On the first perusal of Wodehouse's evidence before the Committee Grey was at a loss to understand the attitude on this matter of his Governor; a closer acquaintance, however,

(132) Torrington to Grey, Dec. 12th 1849 and March 2nd, 1850.
Grey to Torrington, January 23rd, 1850.

convinced Grey that there was a degree of inconsistency between Wodehouse's actions in Ceylon and his evidence in Britain. At the same time he again cautioned Torrington against making a 'run' against Wodehouse and 'hunting up alleged improprieties in his conduct about money.' As for Tennent, he had given his evidence extremely well; according to Grey his mean fault was that:-

'he is truly Irish in his notion of carrying on business by management and manoeuvre instead of by an open straight forward course.' (133)

The Wodehouse-Tennent question is the key to the denouement of the Ceylon story. On May 20th, 1850, Grey informed Torrington that he had conclusive proof that Wodehouse and Selby, a law officer in Ceylon, were in league with Baillie and Hume against the Government, and that, if he found it practical, he would see that they were punished for this. While Grey was still considering means of carrying out his threat, the fates of Torrington, of Wodehouse and Tennent were decided elsewhere. Wodehouse, goaded by the attacks on his character and financial affairs Torrington was making in Ceylon, and desirous of destroying the alliance between his enemy Tennent and the Governor, laid some private letters of Torrington's addressed to himself before the Committee. These were written by Torrington at a time when Tennent was in disfavour with the Governor and contained much abuse of the Civil Secretary. Tennent, who had been defending the Governor's policy before the Committee, was surprised and hurt when these were

(133) Grey to Torrington, January 23rd and April 24th, 1850.

produced, yet endeavoured to excuse and explain away the Governor's words. On the Committee the letters produced a great effect, one most unfavourable to Torrington.

Grey thought that Wodehouse had been guilty of a 'scandalous breach of confidence' and that the action of the Committee in calling for private letters was also most improper. Yet, like the Committee, Grey reacted to the contents of the letters in a way unfavourable to Torrington. The Governor had committed his last - the fatal - indiscretion. The members of the Committee, Lord John Russell and Grey himself, realized that after the revelation of these letters Torrington had to be recalled. A Governor had to stand above personal issues in a colony, not involve himself in them, far less write abusing the second most important civil servant to an inferior in the civil service. On July 24, 1850, Grey wrote to Torrington to inform him that the Committee was over and that no censure had been passed against Torrington's public measures, yet that it was the opinion of the Committee, with which Grey agreed, that Torrington ought to be recalled:-

'while I think you are entitled to great credit for your public measures... still the fact of your having written such letters about the principal officer of your Govt without communicating to him what you thought of him renders it impractical for you to carry on the Govt ... I cannot say how deeply I regret... that you should contrary to my repeated advice have taken up so bitterly an attack upon Wodehouse for his evidence of last year.

If you had not done this but had contented yourself with sending home the papers necessary for the explanation of your own conduct, not allowing Tennent to come over and thus preventing all these personal matters from being brought forward my conviction is that we should have closed the Committee 6 weeks ago with complete success.'

Torrington was replaced by Sir George William Anderson, Governor of Mauritius, who among other things settled the Buddhist question on lines similar to those which Torrington had advocated. Wodehouse and Tennent were also removed from Ceylon; Wodehouse had in the future a long career as governor of British Honduras, British Guiana, Cape Colony and Bombay. Tennent in December, 1850 was gazetted as Governor of St. Helena but never took up the appointment; instead he returned to Parliament, from which he retired in 1867, when he finally achieved his ambition of becoming a baronet. He also became an author, and gave a two-volume authoritative account of Ceylon. Torrington was never employed again.

As soon as he learnt of his dismissal Torrington asked for further employment or some mark of favour from the Government, and failing this a fresh investigation with 'a fair and impartial Committee.' Grey was obliged to reply that the error of writing such a letter on Tennent which Wodehouse had shown the Committee was so serious that he could never hold out the prospect of another colonial governorship, being given to Torrington:-

'For a Governor writing to a subordinate of the Colonial

Government to express himself in the terms you did of the Colonial Secretary, was more wrong than I fear you quite understand, such accusations ought on no account to be made against any man, much more against one filling so important a post, by his chief unless on the clearest evidence and if there is a proof that a public servant deserves to be so spoken of, the charges ought to be made openly and every opportunity given to the accused to defend himself.'

Towards the close of 1852 Torrington was still writing to complain that he was the only one of the three still without an appointment, and that he was ruined and given to brooding over the whole matter. (134)

Torrington, on the advice of Grey, defended his conduct in the House of Lords in the spring of 1851. Despite the pleas of Russell, Wood and George Grey, Earl Grey spoke in the debate this occasioned, but, as he himself admitted, none too well. The Government were fearful of the result of a threatened vote of censure on the motion of Baillie; when this was finally brought forward it was defeated by 282 to 202.

Torrington in many respects was not a good appointment as Governor of Ceylon. His public policy was sound, he was quick to grasp the intricacies of such problems as the financial and the Buddhist ones, and if his suppression of the Kandyan revolt

(134) Torrington to Grey, September 18th, 1850 and November 30th, 1852. Grey to Torrington, August 11th, 1851. The offending letter, see Torrington to Wodehouse, May 3rd, 1849. Colonial Papers, Ceylon.

was severe it yet had the approbation of most of the Europeans in the country plus that of his superiors at home, and the revolt was soon extinguished and peace restored. The most debateable act of his Government was laying on the new taxes, and it is that aspect of his public policy which is most vulnerable to criticism; he ought to have realized the non-productive nature of these taxes before establishing them, and withdrawing them immediately after the rebellion was a serious error of judgment in that to most people it proved that the imposition of these new taxes was behind the revolt. It was as an individual that his greatest failings were revealed; he could grasp problems and carry out a definite line of policy to meet them, but unlike an Elgin or a Barkly he could not to the outside world present an air of calm detachment in the face of bitter criticism - after all bitter criticism in many colonial societies was the norm, and the Home Government was also constantly exposed to it. Not knowing how, or unable to, regulate his conduct so as to secure the greatest possible outside sympathy, and to conduct himself as the representative of the Queen and the foremost person in the island ought to do, he fell into one error after another. Alternatively abusing Tennent and Wodehouse, acting in the manner he did towards the editor of the Colombo 'Observer', he only succeeded in injuring himself and all those who attempted to support him. The confidential letter to Wodehouse was the final mistake, and a Governor of a calmer, stabler temperament had to be found. Not

that Torrington and the man who appointed him and laid down the broad lines of policy he was to follow were the only ones to blame; Tennent, Wodehouse and those partizan members of the Committee of Enquiry such as Baillie and Hume, cannot be exonerated. Torrington's successor, Anderson, proved to be above the personal squabbles of colonial society, and with the worst trouble makers removed from the island, under his guidance Ceylon continued to increase in prosperity..

K. Labuan.

Torrington, Barkly, Ward, these were some of the Governors who had come under the close scrutiny of Joseph Hume. Sir James Brooke, one of the most talented and selfless of men which the nineteenth century produced, was yet another, and the experience was to be an extremely trying one; during Grey's period at the Colonial Office Brooke was as well-supported as was possible with a Government restricted by prevailing motives of economy and by prejudices against further responsibilities overseas, but a later Government was to grant an enquiry for which Hume had pressed pertinaciously though with little support from the House of Commons.

In the course of travels in the Far East James Brooke, an Englishman of an extremely adventurous disposition, became interested

in the island of Borneo. The northern part of that island formed the independent Sultanate of Bruné. South-west of Bruné, along the coast, lay the region of Saráwak, held on the flimsiest of feudal tenures from the Sultanate of Bruné, the Raja of Saráwak being the uncle of the then reigning Sultan. Both the governments in Bruné and Saráwak were deplorably weak, and to English eyes these countries seemed in a condition of near anarchy, where the weak were with impunity oppressed by the strong.

Whilst visiting Saráwak in a strictly private capacity, Brooke, for giving the support of his own vessel to the authorities in their efforts to suppress a rebellion, was offered the government of the country by its grateful Raja, Muda Hassim. Brooke decided to accept, and in 1841 became Raja of Saráwak. Under his energetic government peace and order were restored, security for life and property ensured, and commerce began to revive. Soon Saráwak was an independent country ⁱⁿ with its own right, and though the overlordship of the Sultan of Bruné might yet exist in theory, in practice it was no longer recognized.

Like other able Englishmen before and since his time, Brooke was eager to see his own country derive some benefits from the area in which he now held so much influence. According to his view, Bruné was in such a weak state that sooner or later it would fall into the hands of a European power. Two such powers were interested in the East Indies, Holland and Great Britain, and if the last remaining native state was to succumb Brooke of course

preferred the latter country to possess it, whilst at the same time either taking over, or giving a protectorate to, Sarawak. In letters home to his friends, and in a Journal which was later published, he pointed out the advantages of vigorous action on Britain's part:-

'It (Borneo) produces everything... Coal alone, so rare a feature in these climates, may be a formidable acquisition in the hands of a rival trading power ... Borneo is central between Singapore, China, and Manilla, and a steam line must extend to India on one side and Australia on the other.'

In his Journal on March 31st, 1843, Brooke wrote:-

'The proper course for the British Government to pursue would be to obtain the monopoly of the Borneo coal, with the cession of the island of Labuan at the mouth of the Bruné river... in the present state of Borneo Proper, the Rajas would cede any amount of territory provided there was a chance in the agreement promising British protection from the pirates.' (135)

All commerce in the area, whether trading vessels plying to the British trading outposts and Singapore or to the Dutch possessions or moving along the coast between river and river at Sarawak, was menaced by a scourge which haunted these Eastern seas. That scourge was piracy. Piracy, with many of the peoples in this ^{area} was a profession, a highly regarded one, in some respects

(135) 'The Raja of Sarawak'. Gertrude L. Jacob, London. 1876. 2 vols. Vol. 1. pp. 220-230.

looked upon by its devotees in a similar light to that in which the Thugs, that semi-religious organization for highway robbery and murder which the British found well-established in India on their arrival, regarded their actions. The most wide-ranging pirates were from the Spanish Philippines, but the north-west coasts of Borneo and neighbouring areas had their own nest of pirates, sea Dyaks led by Malays and located in the regions of the Sarebus and Saka^ran rivers. The Sarebus and Saka^ran Dyaks were the terror of the western Borneon coast; they attacked vessels and the inland tribes of Dyaks indiscriminately, the Malays kept the plunder, the Dyaks took the heads of their victims, and also their women and children when these were available. Not being well-armed they avoided conflict with British or Dutch men of war, but did not hesitate to attack trading vessels engaged in commerce with British possessions.

Brooke determined when he took over Sarawak to stamp out piracy, only then could his people live in peace and commerce flourish. As a private individual he had not sufficient funds wherewith to procure a steamer for this purpose, and reasoning that the increase of commerce would not only benefit Sarawak but also British trade, he thought it not unreasonable that the Royal Navy should help him in the extirpation of piracy. In Captain the Honourable Henry Keppel, in command of H.M.S. 'Dido', he found a person of like views; Keppel determined on his own responsibility to put down piracy, and in 1843 the first expedition

in which Brooke and ships of the Royal Navy joined forces, attacked the Sarebus Dyaks in their lair. Up to 1846 Brooke aided by the Royal Navy carried out intermittently but quite frequently attacks on the pirates both at sea and in their strongholds. From Brooke's point of view the only snag was the impermanency of the arrangement. The Royal Navy was liable to be called away unexpectedly to the coasts of China or elsewhere.

The Raja of Sarawak had not ceased to hope that Britain, besides aiding in the suppression of piracy, would also play a more active role in the area along the line of his recommendations. His hopes rose when he received, in February 1845, the notice of a temporary appointment as Confidential Agent in Borneo for the Queen. In this capacity he delivered a letter from the Queen promising aid in the suppression of piracy, after the Sultan had addressed a letter to the Queen on this subject. This was the position in which Brooke stood when Grey assumed charge of colonial affairs. The extension of British influence, the acquisition of the island of Labuan and its coalfields, the right to work coal in the Sultan's domains, the suppression of piracy, these were the points for which Brooke contended.

In December, 1848, the 'Iris' arrived at Sarawak with orders to take possession of the island of Labuan after consultation with Brooke, the Sultan of Bruné having promised to give it up in return for assurances of protection against piracy. The orders were from Palmerston, the Foreign Secretary; they emanated from

the Foreign Office because the question of Britain's relations with independent powers like the Dutch and the Sultan of Bruné were involved. On Christmas Eve Labuan and the adjacent islets formally became part of the British Empire.

In 1847 Brooke paid a visit to Britain where honours and attentions were showered upon him. During his stay he met Earl Grey, and a lasting friendship sprang up between the two men. As is revealed in Grey's subsequent correspondence with Brooke, the Colonial-Secretary admired the ideals of administration which the latter set himself; to raise the standards of living and intelligence, to introduce the Christian ethic, among primitive peoples was well worthy of some effort in Grey's eyes. He was also convinced by Brooke's argument as to the importance of Labuan as a strategic position in the East and as a sure source of coal. In the summer of 1847, Grey pressed upon the Cabinet and especially on the Prime Minister the necessity of establishing a settlement at Labuan, before squatters took possession of the land and coal. Bearing in mind that objections to this would be raised on the ground of economy, Grey undertook to keep expense down to the lowest possible amount. He also suggested that Brooke should be the first Governor of the colony. To Grey's proposals Russell agreed, and Brooke was appointed Governor of Labuan and Consul-General of Borneo in addition to his former honorary appointment. (136)

(136) July 14th, 1847, Grey to Russell.
July 17th, 1847, Russell to Grey.

Before the close of 1847 Grey was able to inform Brooke that he had received the Chancellor of the Exchequer's concurrence as to Brooke's proposal for the Establishment at Labuan, the only objection that Wood had made was to the salary of the Lieutenant Governor. In the same letter was news that Brooke had been made a Knight Commander of the Bath. Brooke, who throughout his life was never interested in money for its own sake, proposed that instead of diminishing the Lieutenant-Governor's salary the cuts should be made in his own or in both together; Grey considered his salary low enough already, and determined to get the Treasury to leave the Lieutenant-Governor's salary at Brooke's first figure. Relations between Colonial Secretary and Governor of Labuan were as cordial as they could be. (137)

Though fully supported by Grey, Brooke must soon have realized that the former was only one in a Government continually harried in Parliament by those who criticized it on grounds of wasteful expenditure, amongst which was cited the island of Labuan. Critics like Cobden took a narrow financial view of the colonies; unless they paid their way they were merely an expensive burden to the Mother Country. Arguments that if carefully fostered they would become of strategic and commercial importance in the future went unheeded. It is a remarkable fact that in the age when Britain was most materially prosperous so was she most concerned to economize and to scrutinize minutely every little increase in

(137) Dec. 10/47, Grey to Brooke. Dec 11/ Brooke to Grey.
Dec. 16/ Grey to Brooke.

in expenditure. Grey was careful to press upon Brooke the need for economy if Labuan were not to be abandoned:-

' it seems ... rather ungracious when you are acting so economically already to press upon you the necessity of the most rigid parsimony in your public expenditure, but I am sure you will excuse my doing so, as the fact is owing to the prevailing distress the H. of Commons has gone half mad on the subject of economy and there is a disposition to question every shilling of expenditure we propose. Having said this privately I shall not trouble you with any detailed suggestions in my public Despatches having thorough confidence both in your desire to save us difficulty ... and in your being far better able to judge than I can be, in what items money can be saved and what expenses can be safely postponed to better times.' (138)

In November, 1849, Grey warned Brooke to send him proposals as to the future of Labuan, giving him as favourable an account of the colony as he conscientiously could, as the coming session of Parliament threatened to provide considerable opposition to the vote for maintaining the island. (139)

Brooke soon found himself faced with a renewal of the pirate threat, and with no naval force to meet it. From the time that he had been aided by Keppel, Brooke had hoped that the navy would have disposable forces for a systematic war against piracy until its exponents were crushed and gave up their evil ways. The

(138) Grey to Brooke, August 23rd, 1848

(139) Grey to Brooke, November 17th, 1849.

agreement made with the Sultan of Brune seemed to make this certain. By steady pressure, Brooke hoped to eradicate the pirate menace within a few years, but without the Royal Navy that steady pressure could not be forthcoming. In March 1849, the Sarebus and Sakaran Dyaks were again active, and a pirate fleet estimated to number one hundred and thirty prahus (native boats) began to commit depredations along the coasts. The only force Brooke had to oppose it was a much smaller fleet of native craft. In March, 1849, he wrote to Grey requesting that some naval force should be always available for just such an emergency. On receipt of this letter Grey pressed upon Sir Francis Baring, the head of the Admiralty, the need Brooke had of naval aid, and Baring sent out instructing for a force to be employed against the pirates. In March and again, in July of that year British forces assisted Brooke in his war against piracy. An article in the Singapore paper, 'The Straits Times' asked in reference to the first of these expeditions "whether it was creditable to our naval forces, to aid or to take part in cruel butcheries, and brutal murders of the helpless and defenceless." In Britain, the 'Daily News' of June 25th, 1849, quoted this article, and that day the paper was read by Joseph Hume, M.P. for Montrose.

There was one man in Britain more personally interested in attacking Sir James Brooke's position than Hume. Joseph Hume at least believed he was acting in the country's best interests, Henry Wise had no such illusions. Wise had formerly been Brooke's

financial agent in Britain; encouraged by his employer Wise had formed the Eastern Archipelago Company, with himself as managing director, to work the coal of Labuan and any mineral wealth which Sarawak might possess. Wise was interested solely in profit potentialities. Instead of a Company which would be content to start modestly to work the coal mines, he began to think more in speculative terms. If Brooke as Raja of Sarawak would by joining the Company lend it the prestige of his name, Wise was in hopes that the Company would realize substantial profits. Brooke refused to entangle himself in commercial speculations; his duty to the people of Sarawak forbade that he should take upon himself the character of a merchant. He suspected that Wise's schemes were a mere speculative 'bubble'. What he was interested in was the efficient working of the coal mines of the Labuan; on October 10th, 1848, he wrote to Grey:-

'I look forward with hope to the working of the Coal by the Eastern Archipelago Company which will give a great impulse to the place and yield a very considerable revenue for I entertain no doubts that the coal may be very cheaply worked and that this Company if fairly and honestly conducted will be successful, in their plans and supply coal not only to our men of war ...'

By the spring of 1849, his suspicions of the 'bona fide' nature of the Company had been increased. Though it had agents in Labuan it had no machinery for the cheap and extensive working of the coal mines, which were so necessary for the prosperity of Labuan,

and the main justification for its creation into a colony. In August of 1849 the position was no better; as far as Brooke could see the Eastern Archipelago Company had no funds, whilst its agents were without local experience and entirely ignorant of the native language. Wise's agency had already ceased at the end of 1848, the Raja not being satisfied with the way in which his financial affairs were handled and his name used. (140)

The expeditions against pirates in 1849, the article in the Singapore newspaper and its republication in Britain, enabled Wise to counter-attack. Private pique at his dismissal and a desire to direct the Raja's attention from the questionable character of the Eastern Archipelago Company were no doubt his predominant motives. In November, 1849, he wrote to Russell about the 'recent dreadful proceedings against some of the Dyaks in Borneo.' Thus for different reasons Wise and Hume were becoming the main leaders of an attack against Brooke which was to develop in the following year. (141)

Grey's view of the matter was identical with that of Brooke's, the man after all best able to judge whether men were pirates or not. Writing to congratulate Brooke on the successful operations against the pirates, Grey wrote:-

'... the sort of compassion which you say there is a tendency to in Singapore is indeed a most spurious humanity but I am sorry

(140) Brooke to Grey. Oct. 10, 1848, May 21, and Aug. 29, 1849.

(141) Wise to Russell, Nov. 26, 1849. quoted in Jacob, Vol. II, p. 9.

to say there is too much tendency to the same feeling here, for my part I consider that true humanity prescribes a good deal of vigour and severity in the measures taken against pirates, rebels and other disturbers of the public peace, and my pity is for those who are the victims of such criminals not for the criminals themselves.'

No doubt when Grey wrote this he had in mind the criticism that had been made in connection with the suppression of revolts in Ceylon and the Ionian Islands. (142)

By an Act passed in the reign of George IV prize-money was granted to the navy for the death and capture of pirates, at a rate of £20 and £5 respectively. £100,000 was allowed as prize-money by Sir Christopher Rawlinson, Recorder of Singapore, for the actions of 1849. It was the insinuation of his enemies that Brooke benefited from prize-money, and that its rate of payment encouraged severity in dealing with pirates. Only the navy was rewarded prize-money, none went to Brooke, but to overcome the other accusation which was more plausible, the Government in 1850 introduced a bill to amend the former act; by the terms of this bill instead of a definite sum per head each action was to be decided on its general merits as to the amount of prize-money to be awarded. The decision was to be made by the Admiralty in conjunction with the Treasury. The passing of this bill through Parliament gave Brooke's critics a further opportunity to be

(142) Grey to Brooke. November 17th, 1849.

vocal, Grey defending him in the House of Lords. (143)

In March 1850, Hume moved for papers in connection with Borneo. In May, the Navy Estimates came up for discussion; under the head of 'miscellaneous services' the Government asked for £100,000 bounty for the capture and destruction of pirates, slavers and vessels. Again Brooke's critics were active. Cobden attempted to prove that the Dyak pirates were merely engaged in inter-tribal wars which did not concern Britain unless her own vessels were attacked. McGregor, the chairman of the Eastern Archipelago Company, opposed the vote. The opposition were defeated by 145 to 20. In July, 1850, Hume demanded a Royal Commission to enquire into the question of Borneo and piracy, and again was defeated by a large majority, only 29 members voting with him. The following year Hume could only muster 18 votes for the same proposal.

In 1852, Brooke, once again on a visit to Britain, struck back at the Eastern Archipelago Company, which had not subscribed the amount of money prescribed by its Charter. Despite Grey's belief that Brooke would find it more advantageous to come to terms with the Company, excluding Henry Wise, Brooke became its prosecutor under a writ of 'scire facias.' In November 1852, the Court of Queen's Bench decided in favour of Brooke, and this decision was affirmed a year later by the Exchequer Chamber. (144)

(143) Journal, April 18, 1850. Grey to Brooke, April 19, 1850

(144) Brooke to Grey, Feb. 13 and 16, 1852. Grey to Brooke, February 14th, 1852.

Thus when Grey left Office, Brooke had apparently survived the fate of a Torrington, thanks mainly to the support of Government and public opinion. Unfortunately he was never to know such support as Grey gave him from subsequent Colonial or Foreign Secretaries. The Coalition Ministry of Lord Aberdeen, despite the votes in Brooke's favour in the House of Commons, and the small numbers of his enemies, determined upon a Commission of Enquiry. Brooke believed the instructions for this to be so unjust that he resigned all offices he held under Government. In addition there were no more naval expeditions against pirates; Brooke was left to cope with these marauders alone, without the assistance of one steamer. Labuan on which such high hopes had been placed languished, and it even seemed as though Sarawak itself would not be able to stand unsupported, and that as England was unwilling to extend her responsibilities, it must be incorporated in the possessions of Holland. All this came about because subsequent Governments were unwilling to go as far or father than the Russell Government in developing Labuan and in making the seas safe for commerce. Throughout these years Brooke found in Grey one of his most consistent supporters, but his influence out of office was not sufficient to cause the successive Governments to change their policy in the Eastern seas; Brooke's wider visions remained unfulfilled, and as the independent ruler of Sarawak he devoted his remaining energies to improving the conditions of his people.

L. The Mediterranean Possessions.

Strictly speaking the British possessions in the Mediterranean administered by the Colonial Office were not colonies at all. Gibraltar and Malta were important garrisons in the running of which the Horse Guards had considerable say; the Ionian Islands were on the other hand a protectorate acquired in 1815.

Grey was not satisfied with the conditions of Malta and his first step was to insist upon a Civil Governor. Of the two names originally suggested by Grey for this post one was apparently Cobden, for Russell, who rejected both suggestions, in reply stated:-

'I agree however in what you say generally of Cobden, and I shall be disposed to sound the Directors to see whether they will appoint him to Madras. He would be of great use in India, where there is really something of a grand commercial operation to carry into effect.'

Eventually the Governorship was offered to More O'Ferrall, a moderate Irish M.P., a sound choice, especially when religious questions were causing a great ferment at Malta. (145)

By the time that Grey came to draft his first Memorandum on Colonial Policy in February, 1849, he could report that abuses of long standing had been corrected, reforms introduced, and plans made for the introduction of a system of representative

(145) Russell to Grey. Jan. 28, July 5, Aug. 10. Sept. 3, Sept. 15, 1847.
Grey to Russell, July 6, July 14.

government, whilst in 1850 he was able to add that the new constitution was in operation and that it appeared to give general satisfaction.

A far thornier problem was the Ionian Islands. At the outset of the Napoleonic Wars these islands with their main body of people of Greek nationality belonged to Venice, and the landowning class was in the main Venetian in its origin. At the end of the wars Venice was no more, it had become an Austrian possession. At the same time the years of warfare had taught Britain the value of the Ionian Islands, especially Corfu, as a naval station for control of the eastern Mediterranean. Eventually by the Treaty of November 5th, 1815, their status was defined. By Article One of this treaty made by the victorious Powers the seven islands were to form 'a single, free and independent state, under the denomination of the United States of the Ionian Islands.' Article Two stipulated that the islands were to be placed 'under the immediate and exclusive protection of His Majesty the King of Great Britain.' Thus Britain became a protectorate Power, and the problem arose as to how to reconcile this task with the stipulation that the Ionian Islands should enjoy some form of constitutional privileges. (146)

In 1817 a Constitution for the islands was established. Its facade attempted to disguise the fact that British authority was comparatively unrestricted. The islands were placed under a High

(146) 'Cambridge History of the British Empire.' Vol. II. Cambridge, 1940. p. 183 ff.

Commissioner with very wide discretionary powers. A Senate combined the functions of Executive and Legislative Councils; its President was nominated by the Crown, and the election of its five other members by the Legislative from among its ^{own} ~~non~~ members was subject ^{to} ~~of~~ the Commissioner's veto. The Legislative Council consisted of forty members elected under a high property franchise; it was to be chosen for five years during which period it would hold two sessions. The High Commissioner was to reside at Corfu, and be assisted by Residents in the other islands. (147)

Successive Commissioners devoted themselves to benefiting the conditions of the islands, relying more upon their own wide powers than the sham constitution. An incompatibility in the British position, however, soon arose, Britain devoted much money to making Corfu a first class naval base complete with all the necessary fortifications; this was the benefit she derived from possession of the islands, plus the fact that whilst she was the protectorate power, potential enemies such as Russia and France would not be able to make use of the facilities offered by the islands for extending their respective spheres of influence. In return Britain attempted to govern so as to benefit the inhabitants.

With the establishment of a Greek independent state, there arose a nationalist movement in the islands calling for union with Greece. Britain was pledged to govern in accordance with the

(147) 'Cambridge History of the British Empire'. Vol. II. Cambridge, 1940. p. 183 ff.

wishes of the inhabitants, was pledged on the question of a constitution, but what was she to do when the nationalist cry calling for union with Greece threatened Britain with the loss of her bases, and the constructions upon which she had poured her money ? This problem was the crucial one which faced Imperial Governments and their representatives until it was solved by ceding the islands to Greece in 1864 and stipulating that the Corfiote fortifications should be razed.

Both Russell and Grey considered this problem throughout the years of the former's first Administration. At the outset Russell inclined to adopt the Ionian view of the question. He believed that the fact that Greece now possessed a constitution made the sham in the Ionian Islands offensive, and wrote to Grey:-

'I should like to give greater freedom and less garrisons to the Ionian Islands. It appears to me that the Treaty of Vienna meant us only to be Protecting Powers, whereas we have made those Islands a colony and spent enormous sums in fortifying them. Gibraltar and Malta are enough for us in the Mediterranean; Corfu is a strong position, which it is desirable but not necessary to keep out of the hands of foreign powers.' (148)

Grey was disposed to agree to Russell's first view of the problem, for he replied:-

'... I believe it would be a very wise course to inform the Ionians that if they like to be united with Greece we have not

(148) Russell to Grey, March 16th, 1848.

the slightest objection and will consent to relieve them from our protection. The union would make Greece stronger and relieve us from a serious expense, one really strong garrison at Malta would make us safer in the Mediterranean than dividing our force as we now do. I can see no one object we gain by retaining the Ionian Islands except exposing the force we have in all of them but Corfu to be cut off on the breaking out of a war, and subjecting ourselves to an additional and heavy demand for their defence.' (149)

Russell was now having second thoughts, perhaps as a result of consulting Palmerston. He found the duty of protection Power irksome, and wished that Austria would undertake it, leaving 'Venice to the Venetians'. He agreed that the natural union of the islands would be with Greece, but, here was the crucial point, the Greek Government was 'so very weak and so very faithless' that it might sell the islands to either France or Russia. In a later letter to the Colonial Secretary he broached the possibility of dividing the islands, perhaps giving the two large southern ones, Cephalonia and Zante, to Greece, whilst Britain retained Corfu or gave it to Austria. The plea for keeping Corfu was that its cession to Greece might be regarded as an unfriendly act by Turkey, as it lay so close to the Albanian coast, but probably the fact that it was so much more valuable than any of the other

(149) Grey to Russell. May 9th, 1848.

islands or all of them combined, and that as a naval base in the wrong hands, it would be a danger to Britain had greater influence with the Prime Minister. (150)

By 1850 Russell was disposed not to give up the Ionian Islands 'precipitately, and above all not to give them up to Russia which giving them to Greece would be.' He was determined to temporise, relying on Admiral Parker and his marines plus the British garrison to put down any insurrection attempts by the disaffected populace. (151)

In 1851 Grey returned to the question of the ultimate fate of the islands. He pointed out that the feeling of Greek nationality was widespread, and reported that an experienced resident in the islands had told him 'that the people of property in Cephalonia admitted that the island would not be as well governed as a part of Greece as it is by us, but that they had rather be ill governed by themselves than well by strangers.' What interest then had Britain in maintaining the protectorate? As far as Grey could see, none whatever:-

'... they merely subject us to ... a very heavy expense for military protection, while it is clear if ever we are engaged in War we could not maintain our power in these islands for a moment with a hostile population ... a mere inspection of the map makes it I think quite obvious that all the Southern Islands ought

(150) Russell to Grey, May 9th and 15th, 1848.

(151) Russell to Grey, April 3rd, 1850.

to belong to Greece ... I think we have now an obvious interest in giving additional strength and consideration to this petty state. No doubt Greece is at present very ill governed, but the best hope of effecting an improvement in its condition is to enlarge it and the addition of these considerable islands would strengthen popular power in the Parliament of Greece and render more difficult the maintenance of the existing corrupt system.' Grey was now convinced that it was necessary to maintain Corfu. The fortifications, on which Britain had 'foolishly thrown away so large a sum of money' would be of value to another rival great Power such as France. Grey proposed to separate Corfu and its minor dependencies from the rest of the islands; geographically there was a reason for doing this, plus the fact that feeling in favour of union with Greece was there less intense, partly because it had been so long the seat of British Government. Grey's final decision was in favour of declaring Corfu a British colony and ceding the southern islands to Greece, and he pressed for a speedy decision on the question. (152)

Russell's reply to this suggestion ended all hopes of it being carried out. He stated:-

'I was at one time well inclined to such a proposal, but I am not so any longer.'

He pointed out various objections to Grey's plan, such as that the geographical reason favoured Turkey as much as Greece, and that

(152) Grey to Russell. July 5th, 1851.

the expense incurred by Britain was mainly for Corfu which Grey proposed to keep, but the principal reason - one which he did not mention - seems to have been the fear that the islands would pass into the possession of, or under the influence of, Britain's enemies.⁽¹⁵³⁾

Surrender to the nationalists having been rejected, what course could Britain now pursue? The simplest one would have been to abandon any attempt at constitutional government, since the nationalists only used representative institutions to further their own cause, and rule the islands as a military and naval base. Britain, however, considered herself bound by former pledges, and moreover such a ruthless change of policy was not in accordance with British tradition, even though it may have been more efficient. The impossible was then embarked upon, and Britain endeavoured by the grant of further reforms to satisfy any demand of the Ionian people short of union with Greece; the number of concessions made simply encouraged the nationalist party to continue their agitation, and enabled them to acquire greater influence.

Lord Seaton was Commissioner in 1848, and he recommended to the Home Government the carrying out of various liberal measures, including the ballot and a free press. When his term of office was over, the question arose as to who should succeed him. Grey at first favoured Charles Villiers, but when he declined, the post was offered to H.G. Ward, an advanced liberal, and Secretary

(153) Russell to Grey, July 6th, 1851.

to the Admiralty in the Russell Administration. Ward accepted, and on his arrival found himself committed to carrying out the reforms promised by his predecessor. It did not take Ward long to find that these reforms were unwise and unworkable in the present temper of the Ionian people.

In 1848 and 1849 there were nationalist risings in Cephalonia and elsewhere. Ward upon arrival proclaimed an amnesty for August 1st, 1849, but towards the end of that month there was a serious uprising in Cephalonia, which was severely repressed by the High Commissioner. The suppression of the revolt aroused the usual outcries against brutality in the Imperial Parliament, but compared with Torrington Ward escaped lightly, indeed Torrington's partizans were inclined to point out that the execution of priests for a part in a rebellion was carried out in the Ionian Islands as well as Ceylon, on a greater scale.

Ward, though a good administrator, was not sympathetic to Ionian demands, indeed the very opposite. He had a very poor opinion of the people over whom he ruled; speaking of their 'universal disingenuous and plausibility' he informed Hawes:-

'... when you can find an honest Greek, there is something peculiarly charming about him ... I should find it difficult to lay my hand upon above two, in the country.' (154)

Ward's reports to his superiors were coloured by his impressions of the people, and may have had much to do with swinging round

(154) Ward to Hawes, November 10th, 1850.

Russell's opinion as to the desirability of retaining the islands. He informed Russell that surrendering the islands to Greece would be 'discreditable' to Britain:-

'My conviction is, that it would be followed by a sort of dissolution of all Society here; and that it would let loose the spendthrifts and cutthroats, not merely of the Islands themselves, but of the Continent, upon all, who have anything to lose; - and that before a year was over, Russia would be called in, to arrest evils, which Greece in her present condition would have no power to check.' (155)

Ward in the summer of 1849 proposed certain modifications in Lord Seaton's plans. He believed that Lord Seaton's proposed changes were 'not to be worked by any human power,' whilst a full return to the old Constitution was impossible. The modifications he proposed, Lord Grey adopted, especially ensuring that the Senate would form a counterpoise to the democratic nature of the future Assembly. At the same time Ward had not yet lost his belief in a liberal solution to the problem of the islands:-

'The Ionian Islands with a free press, a Legislative Assembly formed upon a popular basis, a low qualification, vote by ballot, good municipal institutions, complete control over the expenditure (excepting the Civil List) and enjoying these advantages under the

(155) Ward to Russell, April 21, 1850.
'Three Letters on the Ionian Islands 1850-3' -
William Miller, E.H.R. Vol. XLIII, 1928.
pp. 240-6.

safeguard of the Protecting power etc may excite the envy of surrounding nations.'

This, however, was before the August rebellion. Such views were cordially concurred in by Grey, who was anxious to see the Islands governed as far in accordance with the wishes of the inhabitants as was practical. The August rebellion seems to have made Ward convinced that yet more changes were needed in Lord Seaton's reforms; he was now no longer confident that the Ionian Islands would benefit from more liberal institutions, or that the British position would be made stronger by granting such. Grey considered the British Government to be committed to the experiment by Lord Seaton's measures; such measures as Ward now advocated, like control of the press, Grey refused to agree to on account of the broken pledges to the Ionian people that this would involve. Liberal institutions in the Ionian Islands had to be given a fair trial, had to be given a chance to work.

Ward became increasingly concerned with the growing opposition to British rule; the agitation for union with Greece enjoyed the support of the Greek Government, and also pecuniary contributions from Russia. By the uncontrolled Press they were able to put their views into print and to circulate the offending matter throughout remote villages. Ward had recourse to the High Police Power, 'undefined and undefinable,' to put a stop to the agitation. Only by such an illiberal power could the High Commissioner, so Ward believed, maintain control. Yet the High Police Power was in

a way inconvenient, and Ward was quite prepared to abandon it if he could gain a more legal equivalent in its place:-

' ... the Queen's Govt will never get the credit that it deserves, for its most liberal policy in these Islands, so long as we persist in engrafting a little piece of Russian despotism upon a System in all other respects thoroughly constitutional.' (156)

Upon the whole Grey maintained his faith in liberal institutions for these islands longer than did his High Commissioner after his disillusioning experience of 1849. In 1852, when Grey was no longer in office, Hawes learnt that Ward seemed to be defending himself and the lack of success he was encountering in the administration of the islands by blaming his difficulties upon Grey. Hawes wrote to Ward defending his former chief; he stated how Grey had given the utmost consideration to Ward's views, had been ready to cast the blame for his difficulties upon Lord Seaton's measures, had never gone farther in his support of liberal measures than had Ward, and had only refused to carry out various recommendations of his High Commissioner when these would have involved charges of broken faith. Ward himself admitted that to destroy constitutional powers would lead to appeals to the French and the Russians who would be able to protest in much the same manner as Britain had protested against the extinction of 'free and independent' Cracow. Ward, however, still continued to blame Grey for his difficulties, mainly because Grey had given his sanction originally to Lord Seaton's measures. Informing Russell that the Constitution

156 WARD to RUSSELL December 20th, 1851.

only worked by its anomalies, the High Police Power and the Right of Prorogation, Ward stated:-

' ... Lord Grey was wrong. You cannot govern Greeks like AngloSaxons, I told him so, in 1849. I repeat it now after trying the experiment for $3\frac{1}{2}$ years, during which the policy of the Queen's Govt has been that of unvarying concessions. But concession, here, is weakness. You want the two elements of the Representative System, - knowledge and principle. You want that mass of Neutral Opinion, which, in England, restrains the passions of political men, and forces them to give, at all events, the semblance of Public interest to their quarrels.' (157)

Thus Grey left office and no solution had been found to the Ionian problem. It was not for want of concrete suggestions on his part; as we have seen he proposed acceding to the request of the Unionist party (as was ultimately done twelve years after he had left office), or alternatively creating Corfu into a British colony, and ceding the southern islands to Greece. Russell did neither; he decided instead to pursue a policy of expediency. A source of expense and trouble to Britain, who already had two good bases in the Mediterranean, Russell yet dreaded to see the islands fall from Britain's grasp into that of a weak Greece under Russian influence. That being so, two alternatives lay open to the British; they could maintain full control or they could endeavour to satisfy the people by giving them a voice in their own government, in the hope that this would partially satisfy

their political aspirations. Grey, with his faith in representative institutions chose the latter course; it failed to work, but at least the experiment had been made, and the nobler course of governing in accordance with the wishes of the population had been tried. The other alternative of a military despotism was not one which Grey favoured, and its application would have been of doubtful value. The strategic value of the islands was now no longer as great as in Napoleonic times. Britain had an interest in strengthening an independent Greece, and strategic considerations would have been largely offset by the hostility of the local inhabitants. Hence the cession of the islands in 1864.

M. General Remarks.

We have briefly surveyed the most important and the most troublesome of the colonies with which Grey had to deal, their particular problems and how these affected the Colonial Office. More general topics also came within his range of duties; he had to attend to the question of emigration (whether it should be aided by Government funds or not), to free trade (the final link with the old colonial system, the Navigation Laws, were wholly abolished during his years of office), to the size, distribution and expense of the armed forces. For a conscientious Secretary of State - and Grey was certainly that - the work involved reached mammoth proportions. For many of his schemes he had to obtain the

consent of the Prime Minister or one or more of the other Departments, such as the Treasury and the Foreign Office. Russell's Government was by no means one of Departments as Melbourne's had tended to be, and of course all this entailed extra work to convince his colleagues that the course he wished to adopt was the right one, or that the Governor he wished to appoint was the man most suited to the task in hand. The difficulties of communication hampered the efficiency of the Colonial Office; Grey wisely believed in giving his Governors wide discretionary powers, and contented himself with laying down the general principles on which they were to conduct their Government - at least with those he had confidence in - but the Colonial Office had still to take a final decision on the course being pursued in a particular colony, and if that were as remote as say New Zealand, the Colonial Office decision when it reached that colony might no longer bear relation to the changed state of affairs there.

It is little wonder then that from this multitude of business critics of Colonial Office administration were able to find flaws, find subjects which had been overlooked, or material for party attacks in Parliament. Indeed part of Grey's time must have been taken up in preparing answers and searching for evidence to meet Parliamentary criticism. His critics were of different species. As far as is known he had the general support of his Cabinet colleagues for his measures, though Wood was disposed to carp at any which he believed involved undue expense, and Russell's mind

was in a perpetual state of fluctuation on most subjects, the strength of feeling in Parliament being often the deciding factor. There were those who like Joseph Hume were convinced they were doing their duty as members of Parliament and as friends of the colonists or the native races; sincere men in the main, but hopelessly ignorant of the true state of affairs and liable to be influenced by more interested personages, such as agitators for a change of Governor, for more representative institutions and the like, or men such as Henry Wise with a personal grievance against the ruling, colonial powers. Then there were those politicians who saw in the difficulties encountered by the Colonial Office an opportunity of discrediting the Whig Government. They had their newspapers, so had the Colonial Reformers, whose articles could be devoted to criticism of the Colonial Secretary and the Colonial Office generally. The Colonial Reformers also eventually became Grey's enemies; too often these men were hidebound by theories which when the Colonial Secretary did not slavishly adhere to them aroused their opposition. The Wakefield system of land sale, responsible government, these were panaceas to solve all ills; arguments such as the fact that the Government had a duty towards other more primitive peoples were regarded by them as mere Colonial Office subterfuges to defraud colonists of their rights. Then there were people like Cobden and Bright who would have cheerfully abandoned one and all of the colonies, and all obligations to settler or native inhabitants, if by that means they could have saved a few more pounds, shillings and pence. Frequently these

various groups of critics would combine for an attack upon the Colonial Secretary. There is no doubt that Grey came in for some very concentrated and severe criticism in these years; some of it was brought upon him by his own actions (for example antagonising the South African colonists over the 'Neptune' incident), and some by actions over which he had no control (such as the manner of the suppression of the Ceylon rebellion). In general he bore this tide of criticism extremely well; we have already seen the wise words he had to offer to Torrington on the subject. Nevertheless the criticism he had to endure certainly increased a growing distaste for the burdens of office. More liable to upset in such matters was his wife; on February 25th, 1849, at the time when Baillie was calling for a Committee to investigate the state of affairs in the Crown Colonies, Grey noted in his Journal:-

'Maria has worked herself up almost into a fever about the absence of any proper answer to the attacks upon me, she got into a terrible way about it this afternoon.'

Grey was in office just at that time when Colonial Office affairs were swelling in importance, and when the business of the Colonial Office was undergoing a vast increase. One has only to consider the amount of important legislation - constitutions drafted, a full free trade initiated - passed or projected by Grey to realize this. In addition he did not only look to pressing problems but attempted to take measures to satisfy the future needs

of various colonies. If the criticisms were more severe, it was certainly a far more fruitful period of office than the similar period he had spent as Secretary at War. Judged on this alone, his active life as a politician is deserving of recognition, and it is indeed as Colonial Secretary that much has been accorded him.

If his manner seemed forbidding and dictatorial to political opponents, newspaper editors, or far away colonists, those who had more opportunities to make a correct judgment, were of a different opinion. This is what Henry Taylor, one of the most talented of the Colonial Office staff, had to say of him:-

'I have served under thirteen Secretaries of State, and have thus had peculiar opportunities of measuring their administrative powers, and Lord Grey is the one whom I should place first . His unpopularity arises in a great degree from his public spirit, which has taken little account of the interest of parties and individuals, and less of his own, when opposed to public interest. He is ardent and tenacious in his opinions, but I think it is a great mistake to suppose that he is haughty and imperious in his temper of mind. When public interests have permitted it, I have not known any man more careful of the interests and feelings of those serving under him in the colonies, or more truly liberal in his manner of dealing with them.' (158)

We have already noted the respect he paid to the opinions of his Governors, and of how he chose them irrespective of party considerations; they in return reciprocated his confidence. Elgin's

(158) Quoted in Morrell, 'Colonial Policy of Peel and Russell.'

view of their relationship is typical of the sentiments of many of his other Governors; when ^{he} learnt that Grey was leaving the Colonial Office, Elgin wrote:-

' ... the intimation ... that you are writing to me from the Colonial Office for the last time is received by me with the liveliest regret ... Having had the satisfaction of serving under you for upwards of five years, during the whole of which period I have been permitted to keep up such constant and familiar communication with you as has enabled me at once clearly to appreciate your views and sentiments, and fully to expound my own, and having moreover at all times received from you the most frank and generous support, it is difficult at first to realize the fact that this official relationship has absolutely come to an end...' (159)

To both Colonial Office staff and colonial officials then, Grey was not the hard-hearted, dogmatic Colonial Secretary the popular press occasionally made him out to be.

Of all the Colonial Secretaries, until the age of imperialism at the close of the century again concentrated attention on the Colonial Office, of the nineteenth century, Grey is the most outstanding, and the most knowledgeable on colonial affairs. Unlike such people as Pakington or Stanley, Grey was a specialist in this particular sphere; from his early political career he had been interested in colonial problems, and had already served a valuable apprenticeship as Under Secretary to Lord Goderich. By the time

(159) Elgin to Grey, 19th March, 1852.
'The Eighth Earl of Elgin' - Morrison, London, 1928.
pp. 120-1.

the Government had been defeated in 1852 Grey had left a definite imprint on the Colonial Office and the colonies. Subsequent Whig or Coalition Governments were to be the poorer without his assistance in this particular office.

CONCLUSION.

When Grey left office in 1852 his constructive - though not his active - political career was over. He was as assiduous in his attendance in the House of Lords as ever, his Journal continued to flourish, but the most important part of his political life was finished. In 1852 he was still a comparatively young man, he had forty more years of life before him, and when we consider to what age such people as Palmerston and Gladstone continued to hold office, it seems that Grey's career as a constructive statesman was drastically shortened. From 1852 to his last appearance in the Lords, his role was that of the independent statesman bound not by party ties but by considerations of what he considered to be necessary for the public good; this was the position his father had wished him to assume, and which he had in earlier years nearly decided to follow. Such independence brought respect for his opinions and esteem for his character, but on the whole it was a barren position to adopt, and as isolated and ineffective as one to be in as placed on the top of a monument, or on a solitary limb of a tree. Never a good party man, Grey by this attitude of self-isolation, deprived himself of the power of holding office again, and after all a constructive period of office is worth more than long barren years of lone criticism or suggestion. Only when in office can a politician's true worth be tested; eminent critics are quite common, good administrators comparatively rare. Considering his achievements as Colonial Secretary, it does seem a pity that Grey never held again a post in an administration.

It was mainly his own fault that Grey never again found himself in a Government. As soon as Russell's first administration had resigned in 1852, Grey had decided that he did not wish for office again. His main reason for this drastic step appears to have been his lack of confidence in Lord John Russell. His reasons for such lack of confidence in the former Prime Minister and once his close friend, he plainly stated to Sir George Grey in May, 1852:-

'I told G. Grey that it was quite true that I had expressed (and could not help doing so) my great regret at our having gone out before the Cape debate, and my dissatisfaction with Ld John for having virtually decided the question of our resignation by his announcement in the H. of C. after the defeat on the Militia bill, I said it was very possible we might have come to the conclusion that our resignation was necessary, but no step ought to have been taken by him which in fact deprived the Cabinet of any voice in deciding upon so important a question - I added that the manner in which he had acted not upon this subject only, but upon others - the Durham letter (the original source of our difficulties) - the refusal to make any serious attempt to strengthen the govt in the winter - the militia bill (which he insisted upon bringing forward in spite of my earnest remonstrance before the cabinet had ever seen it in print) - and now in so rashly deciding on voting against the 2d reading of the militia bill had so destroyed my confidence in him that I did not think I could consent to join another administration under him, and as there clearly is no other

person who can lead a whig govt, I considered it to be impossible that I should again come into office.' (1)

Various other questions in the succeeding years put a strain on friendly relations between the two men. In 1852 Russell corresponded with Pakington, the new Colonial Secretary, about the New Zealand Bill, after having consulted Ellice and Molesworth but not the ex Colonial Secretary:-

'I was not a little indignant', wrote Grey, 'at being told thus coolly that he had in this manner entirely passed me by, and after consulting only about the very last men whose advice ought to be taken if it is desired to preserve our Colonial Empire, had formed so rash an opinion and communicated it to the present Secretary of State. Considering the assistance and support I had given him for so many years, this is rather too bad.' (2)

In 1860 there was yet another of these serious disagreements between the two men, in which Russell accused (but subsequently retracted), Grey of hoarding, while a member of Russell's first administration, accusations which could be used against the former a dozen years later.

Apart from his distrust of Russell, and remembrances of the toil and criticism associated with office, another reason for Grey to abstain from being in any government was the question of parliamentary reform, to which both parties devoted attention in those years before the second Reform Act. Writing to Russell in December,

(1) Journal, May 6th, 1852.

(2) Journal, May 30th, 1852.

1852, explaining why he did not wish his name to be considered for a place in Lord Aberdeen's Coalition Ministry, Grey put this reason as his chief one for not taking office - considering the person he was writing to he could do no other. He did not believe that it was wise, that the country should be agitated by a struggle for organic changes in the constitution, and that instead of such futile discussions the House of Commons' time should be devoted 'to the consideration of measures of practical improvement.' He pointed out that this was the opinion he had repeatedly expressed whilst a Cabinet colleague of Russell's, though he stated:-

'I acquiesced in your bringing forward the measure you proposed at the beginning of the year, I did so very reluctantly because by a declaration of opinion originally made by you in the House of Commons without any concert with your colleagues things had been brought to a state in which the choice lay between proposing some measure on this subject and breaking up the administration of which I could not take upon myself the responsibility. The measure too that was decided upon, would I believed, have done some good had it been accepted, while it was obvious that such a plan could not pass otherwise than by a pretty general assent of different parties, and it therefore could not provoke my dangerous struggle.' He doubted whether there was an urgent want for any such changes, believed that the House of Commons as present constructed was 'an efficient instrument for securing an administration of affairs in accordance with the judgment and wishes of the most enlightened

and intelligent part of the nation,' and that any measure carried would not be an improvement on the 1832 Reform Bill but probably the reverse. In a later letter on the same subject, he informed Russell:-

' ... if I had the power I would make far more extensive changes in the Act of 1832 than any I have seen proposed (unfortunately he does not outline the changes he would make), and my objection to disturbing that arrangement now is founded entirely on my conviction that the public mind is not yet prepared for such a revision of our representative system as I should think desirable, that anything but a complete revision of it would do far more harm than good ... (3)

These views on the question of parliamentary reform and his opinions that the Whigs should rely more upon the rank and file of the Conservatives rather than upon the Radicals, made him unpopular with the more liberal wing of the Whig party.

These were his main reasons for rejecting future offers of office. For a while his name was thought of for office by both parties. In 1855 when Lord Derby was asked to try and form a Government, he informed the Queen that there were but two sufficiently able men he could think of to hold the War Department, and Grey was one 'who would do it admirably,' but Derby disagreed with him as to general politics and on the propriety of the war with Russia, 'then came his peculiar views about the Amalgamation of Offices, in which he did not at all agree.' After Derby had

(3) Grey to Russell, Dec. 23rd, 1852, and May 7th, 1860.

failed in his attempt, Russell and Palmerston were asked to form a government, they decided that 'Lord Grey could not be asked to join, his views on the Foreign Policy differed so much from theirs, and he had always been an intractable colleague.' Lord Derby in 1858 offered Grey a place in his Administration, but the offer was rejected partly because it would bring Grey into opposition with his closest friends. (4)

Lord Granville writing to Lord Canning in 1858, described Grey's position in the following words:-

'Grey is the most important man on our (the Whig) side of the House, and stands high for character and independence but the liberals do not like him.'

Lord Granville's biographer, mentioning the number of ex-ministers who stood outside the ranks of the regular Opposition at that time, has this to say of Grey:-

'... Lord Grey, then in the zenith of his remarkable powers, which have left so insufficient a mark on the page of English history, was commencing the persistent but barren course of criticism in which, as Lord Granville once playfully observed, he displayed 'his infinite power and fertility in raising objections to any course which was not precisely that which he had shaped himself.' (5)

(4) Memo by Queen Victoria, Jan. 31st 1855, and Memo by Prince Albert Feb. 3rd 1855. Earl Derby to Queen Victoria, Feb. 21st 1858 -
'The Letters of Queen Victoria' Vol. III pp. 103, 115, 342.

(5) 'Second Earl Granville' - Ld E. Fitzmaurice, London, 1905.
Vol. 1. p. 235 and p. 310.

Thus in the late 1850's Grey was still a political figure of considerable importance, but absence from office, and the fact that he entirely confined himself to criticism - whether constructive or otherwise - of policies adopted by both parties, was bound in the long run to lessen his importance, and to abrogate a career which from its start had been a very promising one.

Grey's failure in politics was inherent in his character. His record as Secretary at War, considering all the prejudice and inertia he had to attempt to overcome, was very creditable. Even more so were the years in which he was Under-Secretary and Secretary of State for the Colonial Department. He could not, however, maintain smooth relations with his fellow colleagues in party or government, if policies or measures he desired were not acquiesced in by them. To most of those who served with him he appeared as dogmatic, overbearing, contemptuous of those who differed from him, and too tenacious of his own opinions. Palmerston too was not popular with his colleagues, but his perpetual cheerfulness and his adroit way of handling difficulties led him to be more successful than Grey, who appeared never to unbend, in avoiding awkward scrapes; in addition Palmerston had one supreme gift which Grey did not possess, if overruled by his colleagues he could appeal to Parliament and public opinion. Palmerston was a good public speaker and knew how to command himself and his policies to members of Parliament and the general public; he was a popular figure in public eyes. Grey did not

possess the art of appealing to a wider audience; his opposition to his colleagues over policy appeared ruder and harsher than Palmerston's ever was and he could not have it sanctioned by wider support. This partly explains why Palmerston could rise to greater heights than Grey and why the former was found to be indispensable to the stability of various governments whereas Grey was not. There was also the charge that Grey was an impracticable person. This is to a certain extent true; that defect of character which could not see when it was reasonable to surrender to the views of others, led him into such acts as the incident in December, 1845 over Palmerston, and to entertain such views even then of performing more public service as an isolated and independent figure in Parliament. In part this uncompromising attitude stemmed from a devotion to principles and duty; with Grey there was no cant when he referred to these abstract qualities, he regulated his conduct by them. The fact that he held principles to be so sacred explains much of that intransigence he showed in key questions; after all principles were not to be compromised, and he had to stand by them, even though they caused ill-will between himself and colleagues. Thus on one side went great abilities, absolute devotion to what he considered to be the public good, a strict adherence to the sterling qualities of truth and justice; on the other lay the fact that he could not work well in a team of colleagues, had no powers of ingratiating himself to party rank and file or to the public, and was inclined to be

dictatorial and intransigent or at least to appear to be so. Thus the picture became prevalent of a harsh, dogmatic individual with but little of that 'milk of human kindness.'

Those who knew him better, his closest friends, his subordinates in office, the colonial governors who had won his trust and confidence, could paint a far truer and less rigid picture of the man. To all these people he was as steadfast and loyal as the public interest would permit. He was a man who could not make an outward display of the more praiseworthy emotions yet who never lacked them for all that. Consider how he concerned himself over the years in trying to obtain some fitting reward for the services of James Stephen out of gratitude for the way in which Stephen had assisted him when he first entered the Colonial Department under Lord Goderich; or what pains he took to rectify those abuses in tropical climates which destroyed the life and health of the British soldiery stationed there. With his colonial governors for the most part he worked admirably, encouraging them when depressed, giving full attention to their ideas, giving sound advice to them when he thought it necessary, and carrying on with many of them intimate private correspondence. To the outside world and to chance acquaintances or those whom he did not wholly trust he could not unbend, but to a smaller intimate circle he was a much more human creature, but of course such was not sufficient for the highest of political careers. As to dogmas Grey only had, strictly speaking, three; these were adherence

to free trade principles, to the principles of the new Poor Law, and the Wakefield land system, and even with these he was prepared to consider such modifications as a small fixed duty on corn, or the application of part of the land fund to other purposes than that of emigration.

Thus the failings of the individual marred the career of the political figure, but they were not really bad failings morally speaking, and Grey stands forth as a highly honourable man, who was in his short official career the originator of many important measures, some which gained the approbation of colleagues and some which did not, some which were not successful and others which were highly so.

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