## The English Peerage.

In one of the recent chapters of "LHomme qui Rit," Victor Hugo thus discourses of the English Peeragei-

The creation of a power equal to that of a king, and called the peerage, was a useful fiction in a barbarous age. This rudimentary political expedient produced different results in France and in England. In France, the peer was a sham king: in England, he was a real prince. Not so grand as in France, but more substantial. It might be said: less, but worse.

The peerage originated in France. The epoch of its birth is uncertain; under Charlemagne according to legend, under Robert the Wise according to history. History is no more sure of its assertions than legend is. Favin writes .- "The King of France wished to attract to him the grandees of his dominions by this magnificent title of peers, as if they were his equals.

The peerage soon branched off, and passed from France into England.

The English peerage was a great fact, almost a great thing. It had the Saxon wittenagement for a precedent. The Danish than and the Norman cacasseur united in the baron. Baron is the same word as vir, translated into Spanish by curon, and signifying pre-eminently Man. As early as 1075, the barons made the king sensible of their existence. Such a king too! It was William the Conqueror. In 1086, they laid the foundation of the feudal system: this foundation was the Doomsday Book. Under John Lackland, a conflict arose: the French nobility assumed a superiority over Great Britain, and the French peerage summoned the King of England before its bar. The English barous were indignant. At the consecration of Philip Augustus, the King of England, as Duke of Normandy, earried the first square banner, and the Duke of Guyenne the second. Against this king, vassal of the foreigner, "the lords' war" breaks out. The barons impose on poor King John the Great Charter, whence springs the House of Lords. The Pope takes the king's side and excommunicates the lords. This is in 1215. depths of the future, by the French Revoluand the Pope is Innocent III, who wrote the " Veni Sancle Spiritus," and sent to John Lackland the four cardinal virtues under the form of four golden rings. The lords hold out. The combat is long, destined to last several generations. Pembroke struggles. 1248 is the year of the "Provisions of Oxford." Twenty-four barons put limits on the king, discuss him, and call in a knight from each county to take part in the enlarged quarrel. This was the dawn of the Commons. Later, the lords joined to themselves two citizens from each town and two burgesses from each borough. This was why, till Elizabeth's time, the peers were judges of the validity of elections to the Commons. From their jurisdiction sprang the adage:-"The deputies should be chosen without the three P's, sit Prece, sine Pretto, sine Pocula," Which did not prevent rotten boroughs. In 1203 the French Court of Peers still considered the English king subject to its jurisdiction; and Philip the Fair cited Edward I to appear before him, Edward I was the king who ordered his son to boil his body after death, and carry his bones to the war. Under the pressure of royal caprices, the Lords felt the need of strenthening the Parliament: they divided it into two Chambers-the Upper and the Lower. The Lords arrogantly maintained their supremacy. "Should it happen that any one of the Commons is so hardy as to speak disparagingly of the Lords, he is called to the bar to be reprimanded, and sometimes he is sent to the Tower," The same distinction in voting. In the House of Lords the vote is taken separately, commencing with the last baron, who is called le puine. Each peer when called re- Bourshier, Lord Robesart, another peerage plies content, or not content. The Commons extinct in 1429. Growing with the vote all together, in a mass, by yes or no. The formidable growth of events, he found Commons accuse; the Peers judge. The Peers, through contempt for figures, leave to the Commons (destined to make good use of it) the guardianship of the exchequer, so called, according to some, from the tablecloth which represented a checker-board, according to others from the drawers of the old cupboard in which the treasure of the kings of England was kept behind an iron grating. From the end of the thirteenth century dates the annual register, the "Year Book." In the War of the two Roses, the weight of the Lords is felt, sometimes on the side of John of Gaunt, Duke of Lancaster, sometimes on that of Edmund, Duke of York. English feudalism gave a fulcrum, openly or secretly, to Wat Tyler, the Lollards, Warwick the king-maker, all that mother-anarchy from which emancipation was to spring. The Lords are wisely jealous of the throne; to be jealous is to watch; they circumscribe the royal initiative, limit the cases of high treasen, raise up false Richards against Henry IV, make themselves umpires, determine the question of the three crowns between the Duke of York and Margaret of Anjou, raise armies at need and have their own battles, Shrewsbury, Tewkesbury, Saint Albans, now lost, now won. Already, in the thirteenth century, they had gained the victory of Lewes. and had driven out of the kingdom the king's four brothers, bastard sons of Isabella and Earl March, all four usurers who plundered Christians by means of Jews; princes on one side, swindlers on the other, a species which has since reappeared, but was in small repute at that time. Till the fifteenth century, traces of the Norman duke are visible in the King of England, and the acts of Parliament are written in French. From Henry VII's time they are written in English, by the will of the Lords, England-Breton under Uther Pendragon, Roman under Caesar, Saxon under the heptarchy, Danish under Harold, Norman after William-becomes, thanks to the Lords, English. Then she becomes Anglican. It is a great source of strength to have your religion at home. foreign pope draws out the national life. Meeca is a gigantic sucking-fish. In 1534. London dismisses Rome; the peerage adopts the Reformation, and the Lords accept Luther. This answer to the excommunication of 1215 suited Henry VIII; but in other respects the Lords impeded him. The House of Lords, before Henry VIII, was like a bulldog before a bear. When Wolsey steals Whitehall from the nation, when Henry VIII steals Whitehall from Wolspy, who growl? Four Lords-Darcey of Chichester, Saint-John of Bletso, and (two Norman names) Mountjoye and Mounteagle. The king usurps. The peerage encroaches, Hereditary power has an element of incorruptibility; hence the insubordination of the Lords. The barons make a disturbance before Elizabeth herself. The executions of Durham are the result. The gown of the tyrant is stained with blood. Elizabeth was a headsman's block under a farthingale. Elizabeth calls a Parliament as seldom as she can, and reduces the House of Lords to sixty-five members, among whom was only one marquis (Westminster), and not a single duke. Meanwhile, the Kings of France felt the same jealousy, and were effecting the same elimination. Under Henri III there were but eight real dukedoms left,

but the king was very much displeased that the Baron of Mantes, the Baron of Coucy, the Earon of Coulonimiers, the Baron of Chateaunenf-en-Thimerais, the Baron La Fere-en-Lardenois, the Baron of of Mortagne, and a few more, maintained themselves barons and peers of France. In England the crown gladly let peerages die ont; in Anne's time, to take only one example, the extinctions since the twelfth century had come to make a total of five hundred and sixty-five peerages abolished. The War of the Roses had commenced that extermination of dukes which Mary Tudor completed with the axe. It was decapitating the nobility. Cutting off its dukes was cutting off its head. Good policy, doubtless; but bribing is better than killing. James I understood this. He made a duke of his favorite Villiers, who had made him a pig. Transformation of the feudal duke into the courtier duke, We shall have a swarm of the new brood, Charles II will make duchesses of two of his mistresses, Barbara of Southampton and Louisa de Querouel. Under Anne, twentyfive dukes, three of whom foreigners, Cumberland, Cambridge, and Schonberg. Are these courtly proceedings, invented by James I, successful? No. The Honse of Lords feels itself managed by intrigue, and is irritated. It is angry with James I; it is angry with Charles I, who, let us say incidentally, may have helped to kill his father, as Mary de' Me dici may have helped to kill her husband. There is a break between Charles I and the peerage. The Lords, who, under James I, had summoned to their bar speculation in the person of Bacon, under Charles I tried treason in the person of Strafford. They had condemned Bacon; they condemn Strafford, One had lost his honor, the other lost his life. Strafford's execution was a preliminary decapitation of Charles I. The Lords assisted the Commons. The king holds a Parliament at Oxford; the revolution holds one in London; forty-three peers go with the king, twenty-two with the republic. From this acknowledgment of the people by the lords springs the bill of rights, an outline of our ghts of man, a dim shadow thrown from the

tion, upon the English Such were the services of the peerage. Insoluntary, it is true. And dearly paid, for this peerage is a terrible parasite. Still, conderable. The despotic work of Louis XI. Richelieu, Louis XIV, the construction of a Sultan, general abasement taken for equality, the bastinado administered by the sceptre, the masses levelled in subjugation-all this Oriental structure, raised in France, was prevented in England by the peers. They made of their aristocracy a wall, heatming in the king on one side, sheltering the people on the other. They atone for their arrogance to the people by their insolence to the king. Simon, Earl of Leicester, said to Henry III, "King, you lie !" The peers impose servitudes on the crown: they touch the king in his sensitive point, hunting. Every nobleman who passes through a royal park has the right to kill a deer in it. The noble man is at home in the king's palace. It is owing to the nobility that the king was provided for in the Tower of London at the same rate as a peer, twelve pounds sterling a week. Nay, more. It is owing to the nobles that the king could be uncrowned. The Lords turned out John Lackland, degraded Edward II, deposed Richard II, shattered Henry VI, and made Cromwell possible. What a possible Louis XIV in Charles I! Thanks to Cromwell, it remained latent. Besides, let us say here, Cromwell himself aspired to the peerage, a fact which no historian has noticed; this was why he married Elizabeth Bourchier, descendant and heiress of a certain Cronwell, Lord Bourchier, whose peerage had become extinct in 1471, and of a it shorter to rule by suppressing the king than by reclaiming the peerage. The forms of the peers, sometimes threatening, included the king. The two sword-bearers of the Tower, standing, axe on shoulder, at the right and left of the accused peer who appeared at the bar, were as much for the king as for any other lord. During five centuries. the old House of Lords had a plan, and followed it steadily. We may note its days of negligence and weakness, as, for instance, that singular occasion when it allowed itself to be seduced by the shipload of cheeses, hams, and Greek wines which Julius II sent it. The English aristocracy was restless, haughty, ungovernable, always on the watch, patriotically defiant. At the end of the seventeenth century, by the tenth act of the year 1694, it took from the borough of Stockbridge, in Southampton, the right of representation, and forced the Commons to anoul the election in that borough, because it was contaminated by papist fraud. It had imposed the test-oath on James, Duke of York; and, on his refusal, excluded him from the throne. Nevertheless, he reigned: but the Lords finally caught him again and drove him out. During its long existence. this aristocracy has had some instinct of progress. A certain amount of appreciable light has always emanated from it, except near its end, which is now approaching. Under James II, it maintained in the Lower House the proportion of three hundred and forty six burgesses to ninety-two knights; the six teen barons of courtesy of the Cinque Ports were more than counterbalanced by the fifty citizens of the twenty-five towns. Although a great source of corruption and very selfish the aristocracy were singularly impartia in certain cases. It has been hardly judged History has kept its best treatment for the Commons. The justice of the proceeding may be questioned. We consider that the Lord played a grand part. Oligarchy is independence in the stage of barbarism; but it is in dependence. Look at Poland, nominally a kingdom, really a republic. The peers of England suspected the throne, and kept it in ward. On many occasions the Lords knew how to resist better than the Commons. They gave check to the king. Thus in the remarkable year 1694, triennial Parliaments, rejected by the Commons, because William III did not like them, were voted by the Peers. William III, in a rage, took from the Earl of Bath the eastle of Pendennis, and deprived Viscount Mordaunt of all his offices. The House of Lords was the republic of Venice, at the heart of English royalty. To reduce the king to a doge-such was its aim, and it added to the nation all that it took from the king. The crown understood this, and hated the peerage. Both sides strove to diminish each other's power. These mutual diminutions were an increase and a benefit to the people. The two blind powers, monarchy and oligarchy, did not perceive that they were working for a third, democracy. What happiness it was for the court, in the last century, to be able to hang a peer, Lord Ferrers! To be sure, he was hanged in a silken cord, out of deference.

rential. Montmorency Tancarville used to sponding to the four quarters of the world. sign himself "Peer of France and of England,' thus throwing back the English peerage to the second place. The peers of France were more lofty and less powerful, holding to rank more than authority, and to precedence rather than sway. Between them and the lords was the shade of difference which there is between vanity and pride. For the French peers, to take rank of foreign princes, to have the precedence of Spanish grandees, to go before patricians of Venice, to make the French marshals, the Constable and the Admiral of France (were he even Count of Toulouse and son of Louis XIV) sit on the lower benches of the Parliament, to distinguish between male and female duchies, to maintain the interval between a simple carldom like Armagnae or Albret, and a peerageearldom like Evreux, to have the right of wearing, in certain cases, the blue ribbon or the golden fleece at the age of twenty-five, to counterbalance the Due de la Tremoille, the oldest peer of the palace, by the Due d'Uzes, the oldest peer in Parliament, to claim as many pages and horses for their coach as an elector, to be called Monseigneur by the first president, to discuss whether the Due de Maine had peer's rank as Comte d'Eu, after 1458 to cross the great chamber diagonally or along the sides-that was their great business. The great business of the lords was the act of navigation, the test act, the dominion of the seas, the expulsion of the Stuarts, the war with France. Here, etiquette before all; there, empire before all. The peers of England had the booty, the peers of France the shadow. In short, the English House of Lords was a

tarting-point. This is an immense step in civilization. It had the honor of beginning the national life. It was the first incarnation of popular unity. English resistance, that vague but omnipotent force, had its birth in the House of Lords. The barons, by a series of assaults on the prince, sketched out his final dethromement. The House of Lords nowadays is a little surprised and sad at what it has done unwillingly and unwittingly. All the more, because it is irrevocable What are concessions? Restitutions, And the nations know it. "I grant," says the king. "I get back my own," say the people. The House of Lords thought it was creating privileges for peers; it produced rights for citizens. The vulture of aristocracy hatched the engle's egg of liberty.

The egg is now broken: the engle flies aloft, the vulture is expiring.

England grows in greatness, while her aristocracy is in its last agony.

But let us be just to the aristocracy. It was a balance and barrier; a counterpoise to royalty, an obstacle to despotism. Let us bury it with all the honors.

Near Westminster Abbey was an old Norman palace, which hadbeen bornt in Henry VIII's time. Two wings of it remained. Edward VI placed the Chamber of Lords in one, and the Chamber of the Commons in the other. Neither the two wings nor the two cham-

bers now exist. It has all been robuilt, We have said it and must emphasize it, there is no resemblance between the present

and the former House of Lords. In demolishing the old palace, the old usages were somewhat demolished. Every stroke of the pickaxe in a monument makes a corresponding stroke in customs and charters. An old stone cannot fall without bringing down an old law with it. Place a square-halled senate in a round hall, it will be something different. Changing the shell changes the shape of the shellfish.

If you want to preserve anything old, profane or sacred, code or doguna, patriciate or priesthood; don't renew anything, not even the outside. Patch it, at most. For instance, Jesuitism is a patch let into Catholicism, Treat buildings as you treat institutions.

The throne was raised on three steps. It was called "the royal seat." On the two opposite walls was displayed, in successive scenes, a huge tapestry which Elizabeth had given to the Lords, and which represented the whole story of the Armada, from its departure out of the Spanish waters to its shipwreck in the English. The lofty upperworks of the ships were woven in gold and silver threads, blackened by time. With their backs to this tapestry, which the candelabrum-fastenings divided at equal distances, were three rows of benches, on the right of the throne for the bishops, three rows on the left of the throne for the dukes, earls, and marquises, all mounted on rows of steps, and separated by other steps. On the three benches of the first division sat the dukes, on the three of the second the marquises, on the three of the third the earls. The viscounts' bench was at right angles, opposite the throne; and behind it, between the viscounts and the bar, were two benches for the barons. On the highest bench, at the right of the throne, were the two Archbishops of Canterbury and of York; on the middle bench three bishops, London, Durham, and Winchester; on the lowest bench, the other bishops. There was this important difference between the Archbishop of Canter-bury and the other bishops, that he, for his part, is bishop "by Divine Providence," while the others are only so "by Divine permission." On the right of the throne was a chair for the Prince of Wales; on the left, folding-stools for the royal dukes; and behind these stools, a row of steps for the young peers who were minors, and had not yet seats in the House. Plenty of fleurs-de-lys everywhere, and the great scutcheon of England on the four walls, over the peers as well as over the king. The sons of peers, and the heirs to peerages, were present at the sessions, standing behind the throne, between the dais and the wall. The throne at the end, and Thomas C. Hand, John C. Davis, James C. Hand, Theophilas Faulding, Joseph H. Seal, Hugh Craig, John R. Ponrose, Jacob F. Jenes, James Traquair, Edward Darlington, H. Jones Brooke James L. McFarland, Edward Lafourcada the three rows of benches for the peers on the three sides of the hall, left a large square space empty. In this square, which was covered with the state carpet bearing the arms of England, there were four woolsacks, one before the throne, on which sat the chancellor between the mace and the seal; one before the bishops, on which sat the judges, councillors of state, who had the right to sit but not to vote; one before the dukes, marquises, and earls, on which sat the secretaries of state; one before the viscounts and barons, on which the clerk of the crown and the clerk of Parliament were scated, and the two under-clerks wrote kneeling. In the middle of the square was a large covered table, loaded with portfolios, registers, prison records ; there nud. were candlesticks at its four corners high and massive gilt inkstands. The peers tool their seats in chronological order, each ac cording to the date of the creation of his peerage. They took rank according to their title; in the title according to their antiquity. At the bar stood the usher of the black roll, his wand in his wand. Within the door was the usher's deputy, and without it the crier of the black rod, whose duty it was to open the judicial sessions by the cry, Oy(z)' in French, uttered three times, with a solemn emphasis on the first syllable. Near the crier stood the sergeant, who was the chancellor's mace-bearer.

In royal ceremonies the peers temporal wore their coronets on their heads, and the peers spiritual their mitres. The archbishops wore a mitre with the ducal coronet; the bishops, who rank after the viscounts, a mitre with the barons' circlet of pearls.

It is singular and instructive to remark that this square formed by the throne, the bishops, and the barons, and in which magistrates are kneeling, was the ancient Parliament of France under the first two dynasties. Authority presented the same aspect in France and in England. Hinemar, in his "De Ordina-

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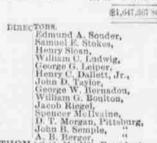
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A peer of France would not have been hanged. Such was the lofty remark of the Duke of Richelieu. No doubt. He would have been beheaded, which is still more defe-

Deerepit Shades must dwell in ruins. powers are uncomfortable in newly-decorated dwellings. Ragged institutions require dilapidated palaces.

To show the interior of the House of Lords, of days gone by, is to show something unknown. History is night. There is no background to it. Everything is consigned to insignificance and darkness, so soon as it ceases to be before the footlights. A scene, once shifted, is effaced and forgotten. The unknown is a synonym of the past.

The peers of England used to sit, as a court of justice, in the great hall of Westminster, and, as the upper legislative chamber, in a particular hall called the House of the Lords, Besides the court of English peers which only assembles when summoned by the crown, the two great English tribunals, inferior to the court of peers, but superior to every jurisdiction, sat in the great hall of Westminster. At the upper end of this hall they occupied two rooms which communicated. The first tribunal was the Court of King's Bench, at which the king was supposed to preside; the second was the Court of Chancery, over which the lord-chancellor presided. One was a chancellor court of justice, the other a court of mercy. It was the chancellor who advised the king to pardon-occasionally. These two courts, which still exist, interpreted the laws, and slightly remodelled them; the judge's art consists in tinkering the code, Equity gets out of this business as it best can. The laws were made and applied in that grave place, the great hall of Westminster. This hall had a vaulted roof of chesnut, to which spiders could not attach their webs: there were enough of them in the laws.

To sit as a court, and to sit as a chamber of legislation, are two things. This duality constitutes supreme power. The Long Parliament, which began November 1640, felt the radical necessity of this double sword. Therefore it declared itself a judicial and a legislative power at the same time, like a House of Peers.

This double power was immemorial in the House of Lords. We have just said that, as judges, the lords occupied Westminster Hall; as legislators, they had another chamber.

This other chamber, properly called the Lords' Chamber, was oblong and narrow. In the day it was lighted only from above by four deep windows in the false roof, and a curtained and circular window with six panes over the royal dais; at night the only illumination consisted of two demi-candelabra, fastened to the wall. The hall of the Venetian senate was still worse lighted. A certain amount of shade is agreeable to these omnipotent owls.

Over the hall in which the lords met rose a high, swelling vaulted roof, with gilt arches, and with its surface in different planes. The commons had only a flat ceiling; everything has a meaning in monarchical erections. At one end of the long room was the door, at the other, opposite it, the throne. A few steps from the door, the bar established a sort of frontier, marking the spot where the people ended and the aristocracy began. On the right of the throne, a mantel-piece, with a coat-of-arms on the top, showed two marble bas-reliefs, one representing the victory of Cuthwolf over the Britons in 572, the other the geometric plan of the borough of Dun-stable, which has only four streets corre- tapestry.

tione Sacri Palatii," describes, in 853, the House of Lords in session at Westminster in the eighteenth century.

A queer sort of deposition made nine hundred years beforehand.

The monarch was only obliged to summon a Farliament every seven years.

The Lords deliberated in secret with closed doors. The sessions of the Commons were open to the public. Popularity seemed a diminution of dignity and power.

The number of lords was unlimited. To make peers was a menace of the crown and a mode of governing.

At the beginning of the eighteenth century the House of Lords already presented a very large figure. It has grown still larger since. To dilute the aristocracy is good policy. Elizabeth perhaps made a mistake, when she condensed the peerage into sixtyfive lords. When less numerous, it is more active. In assemblies, the more members, the fewer heads. James II felt this when he raised the number of the upper House to a hundred and eighty-eight; a hundred and eighty-six, if we strike off from these peerages the two duchesses of the royal couch, Portsmouth and Cleveland, Under Anne, the sum-total of the peers, in-cluding the bisheps, was two hundred and seven; without counting the Duke of Cumberland, who was the Queen's husband, there were twenty-five dukes, the first of whom, Norfolk, being a Catholic, did not sit; while the last, Cambridge, electoral Prince of Hanover, sat, though a foreigner. Winchester, styled first and sole Marquis of England, as Astorga was styled sole Marquis of Spain, being absent by reason of his Jacobinism, there were five marquises, the first of whom was Lindsay and the last Lothian; seventynine earls, the first of whom was Derby and the last Islay; nine viscounts, the first of whom was Hereford and the last Lonsdale; and sixty-two barons, the first of whom was Abergaveny and the last Hervey. Lord Heryey, being the last baron, was called is maine of the House. Derby, who, being preceded by Oxford, Shrewsbury, and Kent, was only the third earl under James II, had become the first under Anne. Two names of chancellors had disappeared from the list of barons, Verulam, under whom history discovers Bacon, and Wem, under whom history discovers Jeffreys, Bacon, Jeffreys, names mournful in different ways In 1705, the twenty-six bishops were but twenty-five, the See of Chester being vacant, Some of the bishops were very great lords, for instance, William Talbot, Bishop of Oxford, chief of the Protestant branch of his house. Others were distinguished scholars, such as John Sharp, Archbishop of York, former Dean of Norwich; the poet, Thomas Spratt, Bishop of Rochester, and good old apoplectic soul; and that Bishop of Lincoln destined to die Archbishop of Canterbury, Wake, the adversary of Bossuet. On important occasions, and when a communication from the crown to the Upper House was to be received, all this august multitude, in wigs and robes, with prelatic coifs or plumed bonnets, showed its rows of heads in lines and tiers around the hall of the peerage, along those walls on which might be dimly seen the Armada annihilated by a storm. A storm at the orders of Englandsuch was the implied meaning of the

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