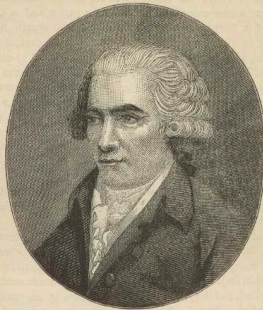


clergymen, and afterwards fully confirmed to them by the 18th of George II., they had a right also to represent their fellow-citizens. It might be said that the nature of the clerical character is indelible, and its operation a disqualification for a seat in Parliament; but here Mr. Tooke put several cases to show the absurdity of the conclusion . . . . After adducing many instances of persons who had renounced orders altogether, and embraced a different line of life—of peers who had succeeded to their titles and seats in the Upper House, although they were in orders, and of clergymen who had, while exercising their clerical functions, been secretaries to, or otherwise employed by, ministers of state—Mr. Horne Tooke thus concluded: 'Though I wish earnestly to be out of the House, I feel it to be my duty to strive to continue in it as long as I can, and am prepared to meet opposition in whatever way it may present itself. I wish the House to proceed legally. I wish that an Act should be passed founded on the broad basis of general justice. Let the House save its character as much as possible, and try to preserve the confidence of the public.'

"In the debate that followed, the eligibility of the clergy was maintained by Fox, Erskine, and Grey, and opposed by Mr. Simeon, Sir William Scott, the Attorney and Solicitor General, and several other members. It was contended by the latter that the canon law was conclusive against the eligibility of a clergyman, and abundantly supported by the precedents, the paucity of which arose from the general conviction that the point was fully established, just as it was clearly understood that women could not sit in Parliament, although the journals might be explored in vain for a single decision on the subject. Both parties, however, agreed in getting rid of Lord Temple's motion, and accordingly, that of Addington was substituted, and carried by a majority of ninety-four against fifty-three. Having thus secured the services of Mr. Horne Tooke, at least during the present Parliament, the Chancellor of the Exchequer, ten days afterwards, moved for leave to bring in a Bill

'to remove doubts respecting the eligibility of persons in holy orders to sit in Parliament.' After long discussion and several modifications, the Bill as it now stands in the statute (41 George III., c. 63) was finally passed through both Houses, by which not only priests and deacons of the Church of England, but ministers and licensed preachers of the Church of Scotland, have been excluded ever since from sitting as members of the British House of Commons.\* . . . . The clergy were thus deprived of a privilege which they could well forego; but in requital they were exempted from certain penalties of a more substantial character."

In 1794 the Government resolved to proceed against certain conspicuous members of political societies; and on the 6th of October of that year the grand jury of Middlesex returned true bills against Thomas Hardy, John Horne Tooke, John Augustus Bonney, Stewart Kyd, Jeremiah Joyce, Thomas Wardle, Thomas Holcroft, John Richter, Matthew Moore, John Kelwall, Richard Hodgson, and John Baxter, for high treason. "Hardy was charged with nine overt acts of high treason; but it was made to appear that, however imprudent or illegal might have been some of the means they had proposed,



JOHN HORNE TOOKE.  
(From an old Print.)

the sole object of Hardy and his associates was a sweeping parliamentary reform. This reform would have thrown the constitution under the feet of the democracy; but the thing had not happened, nor was it likely to happen; the demagogic strength was contemptible, and a humane jury shrank from the horrible penalty attendant on a conviction for high treason. The trial lasted eight days, ending in a verdict of acquittal. The trial of Horne Tooke, which next followed, and which commenced on the 17th of November, occupied six days, and was made remarkable by the perfect self-possession, the wit, the acuteness, and the dialectics of the accused,

\* In 1870 an Act was passed, enabling English clergymen to divest themselves formally of their orders; and persons who have availed themselves of its provisions have since been elected to the House of Commons.