

CHAPTER IV

FOX THE TORY. 1770-1774

I

THE member for Midhurst had spoken twice or thrice before, but reports of the speeches have not survived. On April 14, 1769, he and his brother Stephen are both said to have supported the motion for Wilkes's expulsion, Horace Walpole noting that "Charles Fox, with infinite superiority in parts, was not inferior to his brother in insolence." On May 8 he spoke on the Middlesex election, and his precocity took the House. Walpole again notes, "Charles Fox, not yet twenty-one, answered Burke with great quickness and parts, but with confidence equally premature." Another observer wrote at the time, "Mr. Charles Fox . . . made a great figure in the debate last night. . . . He spoke with great spirit . . . and entered very deeply into the question on constitutional principles." Lord Holland was fondly delighted: "I am told Charles Fox spoke extremely well. It was all off-hand, all argumentative, in reply to Mr. Burke and Mr. Wedderburne, and excessively well indeed. I hear it spoke of by everybody as a most extraordinary thing, and I am, you see, not a little pleased with it"; and in a yet more positive strain, "I am told that few in parliament ever spoke better than Charles did on Tuesday."

Parental raptures duly discounted, it is clear that the young orator was a valuable recruit for any party. And so far his vote had been punctually recorded, as became the son of Henry Fox, against all this nonsense about liberty and popular rights. The King's Friends, even the King himself, had an eye open for material so promising, and now on January 9, 1770, a somewhat disquieting note seemed to suggest that the promise might not be so secure after all. A member accused the House of having be-

trayed its trust in seating Mr. Luttrell. He was told in heated retort that if he had his deserts he would find himself in the Tower. Burke took up the running, said the present ministry was a public offence, and asked the Speaker if he did not feel the Chair shake under him. Another member submitted that the clause in the Address "thanking the King for his approbation of the conduct of the House, would be construed without doors that His Majesty approved of the resolution of the House in respect to the Middlesex Election." Whereupon, Mr. Fox joining in the debate, official expectations were a little startled by what he said. He first took leave to remind honourable members that loss of temper persuaded nobody. Anxious critics excused the pertness as a youthful gallantry, and waited. Fox proceeded—"The expression in the Address did not allude to any particular measures of Parliament, nor to every measure; as no one could suppose His Majesty approved of every resolution taken by the House, but only of the general tenor of their actions." Having spoken for not more than three minutes in all, he sat down. But what was this about the King not approving? Not approve of the injurious Wilkes being put in his proper place? Everyone knew that the King approved to the full limits of royal cordiality. What, then, was Charles up to? Was he by any chance insinuating that there could be two opinions about Wilkes even in the house of Holland; that if the King did approve, then the approval was in questionable taste? These things could hardly be, and yet the recruit had given a strange turn to his phrases. He must be watched. On February 19, he allayed suspicion by scoring heavily in debate against the learned Wedderburn, whose Toryism had momentarily succumbed to the blandishments of Wilkes. As Fox on a legal point of law took the wind out of that legal luminary's sail the House, says Walpole, roared with applause.

Lord North had recently succeeded Grafton as Prime Minister,* and was already docketing the kingly missives of which he was to form so extensive a collection. The debate on February 19 went well for authority, and on the 20th, George signified in the usual way his pleasure in the account of last night's division, and could Lord North find it convenient to call that evening and tell him more about it? The particulars furnished by the Minister no doubt included flattering reference to the highly satisfactory behaviour of Lord Holland's son. Something ought to be done to gratify so likely a supporter. Moreover, Lord Holland himself had not been too handsomely treated, having waited personally on the King to ask for a promotion in the peerage, only to be mortified by a curt intimation that it would not be convenient at the moment. Decidedly it was a case for the royal consideration. Eight days later Charles was appointed a Junior Lord of the Admiralty, within a month of his twenty-first birthday.

In those days the elevation of a boy to such rank signified little or nothing. Any cadet of a great political family who showed modest signs of talent might gather these fruits of influence and connection while he was hardly out of his nonage, and many a career failed signally to advance beyond its first unmerited brilliance. At the time of his appointment in 1770, Charles Fox had done more than most young men of his age to flatter the expectations of a court party that had enough enterprise to know that it could do with a spice of informed and witty eloquence. An ever-growing enthusiasm for the tables had not monopolised his time. On a second continental tour late in 1769 he had augmented his social prestige by yet more splendid losses, but he had continued

* North himself as First Lord of the Treasury never accepted this designation. But the term was already in use. The King's letter calling him to the highest office was dated January 23, 1770.

to read and mark and learn. Easy in manner and pointed in allusion, his maiden efforts in the House had not been merely precocious, and his triumph over Wedderburn, relatively a veteran at the game, had been a genuine one. His record, slight as it was, gave more colour than was common to early distinction, but his appointment in itself was neither evidence of unusual ability already shown nor an earnest of what was to come.

Least of all an earnest of what was to come. Any Junior Lord of the Admiralty, at twenty-one might very well have followed precedent into nonentity by the time he was forty; while this particular Junior Lord, if all that was said of him was true, might have been expected to number himself in the fulness of time among the most illustrious and obliging of the King's Friends. Instead, he came to honours of which his first successes tell us nothing, and they were achieved by a steady opposition to everything that Friendship for the King involved. Many great careers have looked back on origins of a strangely unfamiliar aspect, but few with more wistful irony than that in which Charles Fox now advanced a notable step with his patent of February 28, 1770.

II

Lord North was a brave man according to his somewhat clouded lights, and he was no fool. But he had neither character nor talents to make him a conspicuous figure in the crowded and highly competitive galleries of history. He was, however, first minister during twelve critical years of Charles Fox's life; he was more exactly the political complement of George's sovereignty than any other man of the age, and he was a chief actor in more than one dramatic episode of our story. His contacts with Fox were now to be close and momentous, and we

may here take brief note of his composition. Long experience of Chatham had steadily matured the King's distaste for ministers with wills of their own. That opinionated patriot having now resigned, as it was devoutly to be hoped, for the last time, George looked round for a successor who should be more accommodating. His need was for a sound unenterprising man of some executive ability, willing to learn at the only fount of wisdom, never presuming to instruct, and likely to stay solidly in one place for as long as he was wanted. These qualifications appeared in Frederick North to a nicety. The son and heir of Francis first Earl of Guilford, he had the necessary recommendation of rank, and his official service to date had been admirably regular and obliging. In later years he had no reason to modify his boast that he had never supported a popular measure in his life, and already at the age of thirty-eight he had shown an imperturbable disregard for democratic pretensions. The King, who declared that God willing his reign should be one of no change, found in North a minister able to dispense a steady flow of reactionary doctrine from the treasury bench, and gifted with a faculty for instant and profound slumber if any member should be so hardy as to rise with proposals of reform. As such hardness was exceedingly prevalent during his term of office, North had ample opportunity for sleep, of which he assiduously availed himself. Even so, he often heard more than was good for him, and it is said that he was not always what he seemed. Burke could pause in a peroration to hope that "the government, like Lazarus, is not dead but sleepeth," without effect, but proceeding to a classic instance was tripped in his stride by a somnolent voice correcting a false quantity. Another zealot exclaiming that even as ruin threatened him this worthless minister was asleep, the victim murmured that he wished to God he was. An agreeable turn of pleasantry, indeed, was

always at the call of a personality much given to sedate and heavy habits. An acquaintance asking who that extremely plain woman was, North replied: "My wife, sir." With a desperate feint his interrogator explained that she was by no means the lady that he meant, but the one on her right. "That, sir," continued North, "is my daughter, and we are said to be three of the ugliest people in London." He was sincerely modest of his own abilities, and when after long service the King dropped him not without complaints, he could submit with dignity and truth that he had frequently asked permission to resign on the plea of his own insufficiency. But unenlightened though he was as a statesman, he had considerable parliamentary gifts. His finance, governed always by a praiseworthy ambition to pay off debts, was able if not imaginative, and both Fox and Gibbon paid convincing tribute to his mastery in debate. Six years senior to the King, he was called to office in the belief that he would do nothing unforeseen, and that he would administer policy without attempting to shape or guide it. Events proved that George knew his man. North never during his long ministry offended the royal presence with a constructive idea, and he took his orders as obediently as the royal coachman. Lord North will do this or Lord North will do that—such was the constant form and burden of the notes that fluttered in unending profusion on to the minister's table, and no less constant were expressions of satisfaction at hearing that Lord North had duly done it. It must be added that exacting as were the King's official demands, he treated his docile First Lord with consideration, applauding his firmness in the House, blandly cheering him on to renewed effort, solicitous for his convenience so long as it did not interfere with his own, and even careful to prescribe abstinence and water for a chill. A greater man would have stood none of it, but North was pliant, grateful, diligent, and if he went so far as

to substitute a bottle of claret for the water, it was the extent of his emancipation.

North's success as a minister was achieved on these terms. He knew very well what bargain he was making in 1770, and for twelve years he kept it. That he was a valuable leader of the country nobody could pretend, or that he was a leader at all, but that he faithfully stood by his compact with his master, deaf to all seductions, his most unsparing critics could not deny. His personal honour was never assailed, and while by the nature of the case he lent himself readily enough to the King's lavish practice of oiling palms, his own conduct in the matter of official perquisites was blameless. If George's system had been a tolerable one, no man could have been more perfectly fitted to bring it credit than the First Lord. But it is to his identification with a system politically intolerable and discreditable that North's failure in history is due. He was not made for other and nobler courses, and in a sense he was lucky in his circumstances. Differently placed, he would hardly have risen from obscurity, but in the character of George III. he found a chance in a thousand, and took it. It can at least be said of him that for twelve years he patiently applied himself to a bad job with a great deal more skill and decency than it deserved.

At the time when Charles Fox joined the government, the King and his Friends had had ten years in which to make themselves notorious. How successfully they had employed their time was now (1770) proclaimed to the world in Burke's tremendous denunciation, *Thoughts on the Cause of the Present Discontents*. The great object of policy in these years, he declared, had been "to secure to the Court the unlimited and uncontrolled use of its own private favour." The King's party had operated against the ministry, and intrigue supported by the privy purse had been steadily employed to secure for these operations

the corrupt acquiescence of parliament. Under this control by faction a paralysis had crept into the national life. The Whigs, to whom the prosperity of forty years and the security of the throne itself were due, had been thrown out in circumstances almost of disgrace; ministers had to choose between their own conscience and the King's patronage, "fearful of attempting and incapable of executing, any useful plan of domestic arrangement, or of foreign politics"; the very right of election had been challenged; British policy had been brought into derision "in those nations that a while ago trembled at the power of our arms, whilst they looked up with confidence to the equity, firmness and candour which shone in all our negotiations"; the case of Wilkes had made our administration of justice contemptible, since no one could be so simple as to suppose that he had been punished "for the indecency of his publications or the impiety of his ransacked cabinet"; all confidence between the crown and the people had been destroyed; and the principle of commonweal had fallen utterly into disrepute. To answer these charges was impossible, but that they made the smallest impression on the King is nowhere evident. He had a firm hold on the reins, and Whig spleen could be left to consume itself. But less Olympian minds may well have had misgivings. No man was more unlikely than North to be intimidated by a rhetorical pamphlet, but as he read Burke's indictment even he must have suspected that opposition was going to be more formidable than it was the royal pleasure to believe. On the Duke of Grafton's resignation, Lady Holland had every reason for writing, "I hope Lord North has courage and resolution." And then with charming partiality she adds, "Charles being connected with him pleases me mightily. I have found a very high opinion of his lordship, and my Charles will, I dare say, inspire him with courage." So that in Holland House, at least, hope still ran high.

III

For a time Charles was all that inherited tradition could desire. Wilkes continued to fascinate the government into grotesque attitudes. His sentence was due to expire in April, 1770, though by this time his personal success had lost some of its extravagance. On the day before Fox's appointment to the Admiralty, Horace Walpole was writing to a friend, "What Wilkes may do at his enlargement in April I don't know, but his star is certainly much dimmed." Nevertheless, Wilkes had raised issues that had now gone far beyond personal considerations. Several provincial cities had forwarded protests to the crown in the name of popular rights, and during 1770 the Lord Mayor and Aldermen of London joined in with a twice renewed remonstrance, greatly to the King's indignation. On November 3 George spoke from the throne to the third deputation thus: "As I have seen no reason to alter the opinions expressed in my Answer to your former Address on this subject, I cannot comply with the prayer of your Petition"; which Petition went so far as to declare that a venal majority in the House of Commons by excluding an elected member had "done a deed more ruinous in its consequences than the levying of ship-money by Charles the First." On his release from prison Wilkes had again caught the public fancy, and by a majority of eleven hundred in a poll of fifteen hundred votes had been elected to a London Aldermancy for the ward of Farringdon Without. He had, moreover, closely identified himself with the agitation that had recently been started for the freedom of the press in reporting Parliamentary debates. The election was regarded by the King as an outrage, and the agitation as another abuse of royal toleration by a graceless and insatiable people. He wrote several letters to North. In one he was delighted to note from the latest figures that the two senior

Aldermen seemed secure of nomination for shrievalty, which would show that Wilkes had been supported in his misconduct only by a small and irresponsible part of the Livery. The voting took a sudden turn for the bad, and when the result was declared it was lamentably found that the disreputable Alderman from Farringdon Without had become a sheriff of the City of London. The King also pointed out to North the urgent desirability of putting a stop to "this strange and lawless method of publishing debates in the papers," suggesting that the "miscreants" might more suitably be brought before the House of Lords than before a lower court. "The Lords can fine as well as imprison, and . . . have broader shoulders to support any odium that this salutary measure may occasion in the minds of the vulgar."

Even North was baffled by this ingenious recommendation, but after a protracted fuss inside the House and out, he succeeded in getting an order for certain printers to appear not before the Lords but the Commons. Wilkes at once persuaded his fellow-magistrates to make a bold stroke for his favourite goddess, and the "miscreants" found sanctuary in the City. Thereupon a royal proclamation was issued offering fifty pounds apiece for their arrest, and a zealous artisan had the misfortune to bring one of them to a court where Wilkes himself happened to be sitting. The prisoner was discharged, and the crest-fallen captor committed for assault. At the same time another summons to the House was resisted by a printer who pleaded privilege as a Liveryman. The Speaker's Messenger attempted to execute his orders, and a street brawl ensued. Wilkes was on the watch, and a constable appeared with instructions to take both parties in custody to the Mansion House. There, before the Lord Mayor and Alderman Oliver, the scene in Wilkes's court was re-enacted. The printer was set at liberty, and the Messenger committed for illegal arrest.

The King was infuriated, and stampeded his unhappy Friends into quicksands of futility. Wilkes was summoned to the Bar of the House, Brass Crosby and Oliver to their seats as members. Wilkes retorted that he too was a member, and refused to appear unless he was cited as such. Discretion at this point being the inevitable part of valour, the King exclaimed to North that "as to Wilkes he is below the notice of the House," and the next day he "could have wished that Wilkes had not been ordered before the House, for he must be in a jail the next term if not given new life by some punishment inflicted upon him, which will bring him new supplies." Still a day later, there is evident relief in the tone of "the apparent intention of not examining Wilkes meets thoroughly with my opinion." George, in fact, realised at long last that the only way of dealing effectively with the Apostle of Liberty was to leave him alone, and Chatham in retirement learnt with grim satisfaction from a correspondent that His Majesty had declared that "he would have nothing more to do with that devil Wilkes." The summons had been served, however, and merely to withdraw it would be too ignominious. Some device had to be found for the occasion. When Wilkes failed to appear, the order was renewed with a provision that it should be obeyed on a stipulated date, until the day after which the House thereupon adjourned, and the government supposed that it had saved its face.

But the Lord Mayor was another matter. Here the King was peremptory, and North was told, "the authority of the House of Commons is totally annihilated if it is not in an exemplary manner supported tomorrow by instantly committing the Lord Mayor and Alderman Oliver to the Tower." Two days later the behaviour of the majority has proved to be highly satisfactory, and would it not be prudent to conduct the Lord Mayor to his penance by water rather than along the more public thoroughfares?

His Worship, however, had other views, and contrived to have himself conveyed in triumph from Palace Yard to Temple Bar. He is said to have arrived at the Tower magnificently drunk. After six weeks of regal state in captivity, during which they received the great Whigs in audience and were voted civic thanks and defrayment of all their expenses by the Common Council, Crosby and Oliver were released, and the City was afforded another opportunity of indulging its hereditary taste for bonfires. The King once more had succeeded in making himself a public scorn and laughing-stock.

Throughout these events Fox more than justified parental and ministerial hopes. His powers of debate matured with impressive rapidity, and they were employed without stint in the service of his patrons. With brilliant mutations he insisted in every emergency that it was the duty of parliament to preserve the constitution, even in defiance of popular will. By the constitution he meant nothing more than the King's policy as expressed in a corrupt vote, but the casuistry did not disturb him. Speaking on the liberty of the press, he could say that the issue was raised only by such men as themselves hoped to profit by a licence for their subversive utterance. "Why, then, should we hesitate to put a negative upon a question which sprang from such a low source? From dirt it came, to dirt let it return." He could in the same breath talk of the "mised multitude," and declare that he "could never acknowledge for the voice of the nation what is not echoed by the majority of this House." On the motion for committing the Lord Mayor to the Tower he argued explicitly for the supreme discretion of parliament as against "the imaginary infallibility of the people." He blandly called on Charles I. in witness of the tragic folly of "unlimited indulgence of the popular wish." He did not suspect the people of a design against their own happiness, but he greatly suspected their capacity

for knowing what their happiness truly was. "For these reasons, sir, I pay no regard whatever to the voice of the people; it is our duty to do what is proper, without considering what is agreeable; their business is to choose us; it is ours to act constitutionally and to maintain the independence of Parliament. . . . Therefore, as we are chosen to defend order, I am for sending those magistrates to the Tower who have attempted to destroy it." And then, on a soaring note, he ended, "I will not be a rebel to my King, my Country, or my own heart, for the loudest huzza of an inconsiderate multitude." Such was the astonishing prelude to a career of heroic liberalism. Wilkes was a "profligate libeller of their lawful sovereign," the advocates of the free press a miserable faction, and the petitioners for electoral rights an infamous gang of blackmailing lampooners. And Fox could excel even these performances. When a brave minority attacked government corruption in the case of Sir James Lowther, Charles took up the defence with a high-flown gusto that may have been good lobbying, but does not in print conceal a shameless insincerity. Lowther, afterwards first Earl of Lonsdale, and as contemptible a character as ever offended history, had entered a suit against the Duke of Portland under what was known as the Nullum Tempus Act, whereby he sought to show that certain estates that had been granted, quite honourably, by William III. to the Portland family could still be recovered as crown property and newly vested. The legal processes involved need not be examined, but Lowther's action was notoriously inspired by unblushing rapacity. He had actually persuaded a government that was in his obligation, that his view was tenable, and secured an order for tenancy at a quit-rent of thirteen shillings and fourpence a year. The Duke at length succeeded in bringing the matter before the House with the object of getting a governing clause in the obnoxious Act repealed.

No honest mind could for a moment entertain doubts as to the rights of the case, and the motion was opposed by the ministry on unequivocal grounds of interest. Fox was astonished, was amazed, when he saw men of character, men of ability, men of knowledge, men of reputed integrity, promoting a Bill so bad, so violent, so lawless, so monstrous. He implored them for their own honour to drop it. And a great deal more rubbish about our constitution, our liberty, our laws. As he spoke, he must have known perfectly well that there was not a word of good law, or sound sense, or common decency, in what he was saying, but he took a hesitant House with him. Earlier readings had been lost to the government, but after Charles's effort on the tape a losing cause was retrieved by a majority of ten. And Horace Walpole in Arlington Street noted on the occasion that in Charles Fox was discovered a phenomenon of the age.*

IV

The latest of these speeches, that on the Lord Mayor's committal, was made on March 25, 1771: So far, the Junior Lord had turned out to be an extremely creditable appointment, and his chief could enjoy royal felicitations on having made so shrewd a choice, if indeed the King allowed that the choice was not his own. But undercurrents were beginning to move in Charles's mind, observed by none, and as yet hardly perceptible to himself. Already he was on terms of some intimacy with Burke, and although officially opposed to him, was greatly attracted by the qualities of mind that shone with so bright a candour through the swelling periods of the *Discontents*. The impulse that governed Fox at first in his public life was an unreckoning zest for conflict. So long

* Lowther, it is satisfactory to note, did not eventually secure the spoils.

as he found opportunity for the exercise of his abounding and fluent energies, he was at the outset little concerned as to the direction that they took, and he followed his father's lead as a matter of course. Little by little, by intuition rather than by deliberation, he found himself asking whether he might not after all employ his gifts with as much delight in furtherance of principles about which he could feel some conviction. His political ambition had been stimulated by early success, and there may be something in the view that his breach with North was occasioned partly by some grievance in respect of advancement. If we prefer to think otherwise, we are supported by the fact that for thirty years he was the inflexible spirit of a minority that would make no concessions as the price of office. For a man so sensible of his own power, so convinced that given proper scope it could redeem his country from error, it was a stern test; and he survived it. We hardly strain faith in believing that the transformation that was now being effected was an instance of profound political conversion.

Early in 1772, a Bill was being drafted to forbid any marriage in the royal family without the sanction of the Crown. Two of the King's brothers, the Dukes of Cumberland and Gloucester, had married commoners, and these shocks to the dignity of his family had thrown George into a dangerous state of excitement. His first mental breakdown had occurred in 1665, and he was not prepared to face this kind of domestic anarchy.* By what degrees Fox came to the decision, we cannot tell, but he resolved to oppose the Bill when it came before the

* The Duke of Cumberland married no other than a sister of Luttrell, a circumstance that was exquisitely to the taste of Junius: "The forced, unnatural union of Luttrell and Middlesex was an omen of another unnatural union, by which indefensible infamy is attached to the House of Brunswick. If one of those acts was virtuous and honourable; the best of princes, I thank God, is happily rewarded for it by the other."

House. At the same time he formed the opinion that it would be improper to do so while holding office, and determined to resign. On February 6, a petition was presented in the Commons praying in behalf of certain dissenting clergy for relief from subscription to the Thirty-nine Articles. The motion was introduced by Sir William Meredith, a staunch member of the opposition who had been quixotic enough to save North and Fox from severe handling by the mob that had stormed round Brass Crosby's coach on the way to the Tower. It was resisted by the government, and Fox voted in his place; but he stated that he did so with reservations, and hoped that steps might be taken to meet with liberality a plea that was clearly urged by conscience. It is significant that on this occasion Burke spoke and voted in the same sense. It is less significant, but worth noting, that Charles was said to be below his standard in the debate, and with sufficient reason. Walpole tells us: "He had sat up playing hazard at Almack's, from Tuesday evening 4th, till five in the afternoon of Wednesday 5th. An hour before he had recovered twelve thousand pounds that he had lost, and by dinner, which was at five o'clock, he had ended losing eleven thousand pounds. On the Thursday he spoke in this debate; went to dinner at past eleven at night; from thence to White's, where he drank till seven the next morning; thence to Almack's, where he won six thousand pounds; and between three and four in the afternoon he set out for Newmarket." About this time Lord Holland was told of a report that his son was going to be married. He replied that he was glad to hear there was a prospect of Charles going to bed for one night at least.

Tory gossip as to the lapse in its young hero's form, however, while offering this explanation, may very well have had its real origin in the matter rather than the manner of the speech. Young heroes of the caucus were

not expected to concede points to adversaries in this way. Heresies about black and white tended to drift off into undeterminate greys that were wholly beyond official comprehension. Worse was to follow, and on the 17th Fox for the first time openly declared his hand, attacking North on a point of order in a debate on church property, and voting against the ministry. Three days later he sent in his resignation.

North's hands at the moment were embarrassingly full. The Marriage Bill was about to be introduced, and the King was taking it very heavily indeed. On the day of Fox's resignation the Bill was brought to the notice of parliament in strains of highly formidable solemnity: "G.R. His Majesty, being desirous, from paternal affection to his own family and anxious concern for the future welfare of his people, and the honour and dignity of the Crown . . . recommends to both Houses of Parliament to take into their serious consideration . . ." The first readings were not wholly satisfactory, and on February 26 the King complained that he had not been edified by the debate in the Lords that day. Would Lord North please see to it that his forces were in unexceptionable order? "I do expect every nerve to be strained to carry the Bill through both Houses with a becoming firmness, for it is not a question that immediately relates to Administration, but personally to myself; therefore I have a right to expect a hearty support from everyone in my service, and [the words demand italics] *shall remember defaulters.*" The defection of the brilliant young pleader could not, indeed, have been timed more disagreeably, and North in genuine and somewhat undignified alarm asked him whether there was not perhaps any little consideration to himself or his family that might have been overlooked in the press of ministerial duties? Charles was much obliged, but there was nothing. On March 9 a member moved in the

Commons "that it does not appear that [a clause in the Marriage Bill] is founded in law, or warranted by the opinion of the Judges of England." In the long and violent debate which, according to the official report, followed there was a majestic exchange of compliments between Fox and his late chief. It gave him great pain, said the demure backslider, "to differ from a minister whose general conduct he so much approved; a minister who, with unexampled resolution, had stood forth in the most critical and dangerous moment to save his country from that anarchy and confusion into which it was about to be plunged by factions and ill-designing men." North in replying lamented that "a gentleman of whose abilities and integrity he had so high an opinion differed from him, and that the manly, open, and spirited manner in which that gentleman had, from the first, communicated to him his objections to the Bill, and his intentions of opposing it, had increased instead of lessening the esteem in which he held him." This was all very engaging, but the flow of affability buttered no parsnips. For all its adornment, there was no hair-splitting in Fox's speech. The minister for whom he protested so deep a respect had "by some unaccountable fatality become the promoter of a Bill which seemed big with mischief, and likely to bring upon the country that very anarchy and confusion from which his former conduct had rescued it," and for himself he should oppose the measure with determination at every step. The gage was thrown, and although "nothing could be more pleasant" to His Majesty than Lord North's account of the proceedings that had resulted in a substantial government majority, subsequent debates on the Bill left neither the King nor his ministers in any doubt as to the quality of the support that had been withdrawn. Fox kept his word, and teased the government at every turn, being "universally allowed to have seized the just point of the argument throughout,

with most amazing rapidity and clearness." The Bill was put through, but only under a sparkling cascade of argument that bereft the promoters of everything but their votes. "Never," says Walpole, "was an act passed *against* which so much, and *for* which so little, was said." And the occasion gave the King and his Friends an ample foretaste of what might be expected from the member for Midhurst if he should become seriously established in opposition.

But Fox was not precipitate in his movements. He had struck an effective note of independence, and he had, it must have seemed, forfeited any hope of further royal favour in consequence; but his mind was not yet prepared wholly to discard inherited and acquired traditions. Henry Fox, with all his faults, was too supple a personality to lose all hold at a word upon a son whom he had so fondly indulged, and who had so much natural affection in his character as Charles. Lord Holland, indeed, was on no flattering terms with an official world from which he had retired with a grievance, and on the Royal Marriage Bill and that other measure of which we are about to hear, was inclined by his own romance and the episode of Lady Sarah Lennox to share his son's views. But any decided step towards a Whiggism that placed public principle above private interest was likely to receive little encouragement from the old Paymaster. Further, a young minister, whatever his convictions, does not easily throw over the allurements of connection with a powerful court. Charles was never likely to run easily in Tory harness again, but his final enfranchisement was not yet.

V

In April (still 1772) he asked leave in the House to introduce a Bill to repeal a Marriage Act of 1753 that annulled marriages made without consent of parents, and had been violently attacked by Henry Fox in his time. North had promised not to oppose this request, but changed his mind under pressure at the last moment, and spoke against it. In a small House Fox carried his motion by a majority of one, and although the Bill itself was handsomely defeated six weeks later, the episode was not flattering to ministerial prestige, and North played furtively with the possibility of gathering the vagrant back to the fold.

Fox was out of the government, but he kept himself aloof from any formal alliance with the opposition. He was casting about for his natural political moorings, and in the meantime reserved the right of independent action. Through 1772 he showed a growing preference for liberal measures, attempting to redress the barbarities of the laws relating to illegitimacy, divorce, and abduction, but he did not range himself methodically against the ministry either in debate or in the lobbies. Towards the end of the year North was sufficiently encouraged by this temperance to negotiate afresh. Charles at the moment had not lately been in collision with authority, and was disposed to try his hand again in office. The value placed upon his support by the King and his agents is indicated by the complete reconstruction of the cabinet that was undertaken in order that he might be given a place. On December 20 (40 min. pt. 6 p.m.) the King wrote to North: "I have no objection to Mr. C. Fox's vacating his seat to-morrow," and Charles rejoined the government with a place on the Treasury Board at sixteen hundred pounds a year.

Lord Holland was delighted at this return to conformity

North, only less scared of the young man's talents when they were on his pay-roll than when they were fancy-free, was not so much delighted as rather painfully relieved. He was rapidly to be disillusioned even in this mild mood of satisfaction. During his interlude of party detachment Charles had been uncertain of his own purposes, and there is reason to suppose that he went back to North vaguely assured that with an occasional protest he would after all be able to accommodate himself to the policy of his first choice. But under the touch of renewed restraint, all his hesitant liberalism at once roused into a life from which it was never afterwards to relapse; and within a few weeks of the readjustment it was plain that whatever his future might be he was lost to Toryism. In February, 1773, the House again debated subscription to the Thirty-nine Articles. Fox spoke against the government, ridiculing a system that made children of twelve profess an understanding of the "sublime mysteries of religion" when matriculating at the universities. He called upon the House to consider the enormity of "our youth being trained solemnly to attest and subscribe to the truth of a string of propositions, all of which they are as entirely ignorant of as they are of the face of the country said to be in the moon." The House, by a vote of a hundred and fifty-nine to sixty-seven, decided that it would do nothing of the sort, the account of which "handsome majority," as North was informed by a letter dated the same day at 20 min. pt. 10 p.m., gave the King "infinite satisfaction." For, said His Majesty, as a sincere friend of the Constitution he was a great enemy to any innovations, Ecclesiastical or Civil; "in this mixed Government, it is highly necessary to avoid novelties," and he really had no patience with people who seemed "to have no other object but to be altering every rule our ancestors have left us." And then, a tiresome fly in the solid amber of majority, "I think Mr. C. Fox

would have acted more becomingly, towards you and himself if he had absented himself from the House, for his conduct cannot be attributed to conscience, but to his aversion to all restraints."*

In May Charles took a lively part in the protracted debates on the motion laid before the House for investigating the conduct of Clive in India. In denouncing the great soldier as "the origin of all plunder, the source of all robbery," he was neither speaking for nor against the government, since the attack was led by Thurlow, the Attorney-General, while Wedderburn, who had recovered from his reforming ardours and had become Solicitor-General, managed the defence. North himself found the whole affair tedious, and slept heavily through the languors of a premature summer, in which younger members clamoured for a division, fearing that the heat "would melt their rouge and wither their nosegays"—the nosegays of which Charles was said to affect the largest in town. Nor need we examine here the justice of the vote that left Clive exonerated in form but with a reputation by no means untarnished, in spite of the obvious rider that he had "rendered great and meritorious services to this country." North and Fox finally voted together in the minority, but while Fox supported the motion that "the said Robert Lord Clive abused the powers with which he was entrusted, to the evil example of the servants of the public," with vigorous resolution, North did so with ill-concealed hesitancy. The King, far more positive as to "Lord Clive's rapine," could assure his minister that "your conduct has given the greatest satisfaction." No one, said George, esteemed Lord Clive's services more highly than he; but he had no taste

* Sixty years later Palmerston was asking in the House, "what could be so absurd as to require a man to subscribe to the thirty-nine Articles before you will allow him to cure you of a fever!" (Guedalla's *Palmerston*, p. 185.)

for seeing some hundreds of thousands of pounds going in this way to the private enrichment of a servant when his own privy purse was so constantly in need of repair. To North the case presented a different aspect. He was responsible for keeping an ample majority at the King's command in the House; and Clive had ten boroughs in his pocket. A quarter of a million might be an imposing sum, but even so it was no small thing to offend such a man. On the whole, North thanked his luck that things had gone no worse. Clive at least had secured a very handsome benefit of the doubt, and the minister might hope that his own vote would be regarded as no more than a formality—he had been careful to drop a discreet word or two in the proper place to that end. The unfortunate business, in fact, seemed to be dwindling into oblivion, when in June, during an Indian debate that had nothing to do with Clive personally, Fox gratuitously reopened the question, and so insulted the hero of Arcot and Plassey that he strode out of the House in a rage.* It says much for Clive's magnanimity, and for his discretion as between the minister and his subordinate, that when he left the country six months later for Italy in quest of health, he made over the control of his boroughs to North. But now in June no one could tell what he might do after this affront from the Treasury Bench. North was exasperated, not unreasonably. This agile impetuosity was the very devil, particularly on these hot evenings when confident slumber was so necessary. The minister was beginning actively to share his master's distaste for Mr. C. Fox.

* Clive was member for Shrewsbury from 1760 until he died by his own hand in 1774.

VI

Parliament that summer (1773) rose on July 1, and a week later Miller, the printer of Mansion House fame, was fined two thousand pounds, for making so bold as to accuse Lord Sandwich of selling a place. On the 8th, North went to Oxford for his installation as Chancellor, his election to which office nine months before had given the King "great pleasure . . . as it is a compliment to me, and a credit to that antient seat of learning." The recess was even longer than was usual in days when gentlemen of the House expected to be away from town in time for the Mayfly, to see the birds well off the turnips before they returned, and to get a month over the shires at Christmas. Not that this meant much respite for a minister of George III., as we discover in the records of this year. On June 8 the King wrote to North from Kew that until parliament was up he should continue coming to town of a Sunday, and after prorogation the messengers were kept busily trotting along the Westminster and Bushey roads. Lord North, faithful custodian of the royal patronage of learning, is to give the Polish savant Charles Godfrey Woide a hundred pounds towards a new edition of La Croye's Coptic Dictionary; he is to go forward with the Act relative to gold coin, though the King must say that an allowance of six grains apiece for his grandfather's guineas seems too much; he will please attend at one to-morrow to bring more precise information as to an alleged French plot; he will note that Lord Suffolk "has undoubtedly rather too pressingly twice asked the Garter"; he will, it is to be hoped, be very firm in dealing with an obnoxious proposal to tax absentee Irish landlords; he will also keep a vigilant eye upon the Court of Aldermen; he will agree with Us that "it is melancholy to find so little public virtue remaining

in this country"; he will be gratified to know that domestic economies at Windsor are considerable, and that the kitchen furniture at Carlton House has been presented to the cooks in recognition of their services to the Dowager Princess, lately deceased; he will kindly inform his father, the aged Earl of Guilford, who has been appointed Queen's Treasurer, that he may ask for an audience after the levee to-morrow, "which will, I trust, be the means of giving him the least fatigue"; and when he sees the very detrimental Duke of Gloucester, who no doubt wants money, he will listen as much and say as little as possible.

In the meantime Charles rode, played a little tennis and cricket, read the Greeks, and kept within easy call of Almack's. His own finance was an inconsequent reflection of the public disorder. "They say the Bank is to issue five-pound notes: at present all trade is at a stop, and the confusion is extreme." And Walpole adds: "The Maccaronis are at their *ne plus ultra*: Charles Fox is already as like Julius Cæsar, that he owes an hundred thousand pounds." Carlisle, with a devotion that perhaps does more credit to friendship than to Charles's scruples, insisted on sending in regular relief, and at least one other disciple followed his example. There is a somewhat incoherent story at this time of Fox having been duped by a notorious impostor, who persuaded him that she could find a West Indian wife for him with a fortune of eighty thousand pounds. The lady, she said, preferred fair men, and would Mr. Fox consent to powder his eyebrows? Her charge for preliminary advice appears to have been half a guinea, with equitable provision in the event of business resulting. Smallpox intervened, however, to keep the heiress abed when she should have been presented to her needy suitor. The whole may be condemned as an improbable fiction, but it had some currency in the world of fashion, and at least suggests the straits

to which Charles was commonly supposed to be driven at the time.

Always at his happiest when he could govern by orders to Minister and Council without interference, George had already in August expressed a hope that the reassembling of parliament might not be necessary before January, and it was not until the 13th of that month, 1774, that the House again met. The session opened quietly, North telling a rich member, who complained that there was not a banker in England who had not lost five hundred pounds by the regulation of the gold coinage, that he was glad the loss had fallen on those best able to bear it; India House engaging continued attention; and a general, who thought he ought to have had Lord Guilford's place, resigning in a sulk from others he already had. But the vacation had not chastened Fox's temper, and he returned in a mood to make more trouble. His opportunity was not long delayed. On the 26th he had a brush with North on an election petition, trifling, but enough to create a suitable atmosphere. A fortnight later an article in *The Publick Advertiser* alleging partiality in the Speaker on a land enclosure suit brought the printer, Woodfall, and the author, John Horne, afterwards Horne Tooke, before the notice of the House. The article, signed "Strike—and Hear," concluded: "All sorts of punishments, I know, are at the discretion of your employers; and according to their fancy or policy, they will, when they please, inflict it. But I shall think myself well rewarded, if I can only awaken from their lethargy some few honest members of the House of Commons, to watch over the wickedness which you are daily perpetrating under the pretence of form." The forgotten issue need not be revived, but Fox adroitly turned the occasion to account by forcing North to lead the government in a proposal to commit Woodfall to prison, against the sense of the House that the proper course was to place him in charge

of its own Serjeant-at-Arms, and so avoid further possible conflict with the magistrates. It is difficult to avoid the conclusion that in this caprice Fox had no other object than to strain his relations with North to breaking-point. The minister, convinced of the insecurity of his position, was finally reduced to the ridiculous expedient of voting for the motion that he had brought in, while saving the situation by instructing his friends to vote against it. This was on February 14. This time North was roused to some purpose, and did not hide his feelings from the King, who wrote on the 16th: "I am greatly incensed at the presumption of Charles Fox in obliging you to vote with him . . . but much approve of your action in making your friends vote in the majority; indeed, that young man has so thoroughly cast off every principle of common honour and honesty that he must become as contemptible as he is odious; and I hope you will let him know you are not insensible of his conduct towards you." North was not slow to take his sovereign's advice. On the same day, the 16th, Fox rose to call attention to another libel in *The Publick Advertiser*, signed "South Briton," the victim this time being, in the speaker's words, no more material a figure than "the glorious Revolution of 1688." Charles's indignation on this abstract theme has an affected tone, but he had no difficulty in persuading the House to prosecute the printer of a sufficiently dull tirade, which did indeed go to the length of accusing "our governors since that period" of being "wicked examples of bribery, corruption, dissipation, gaming, and every species of wickedness that can be committed." On Fox's motion, the letter was declared without division to be a "false, scandalous, and traitorous libel on the Constitution of this Country," and the printer—Mr. Woodfall again—was duly fined the spectral sum of two hundred marks. In those days there was point in Fox's distinction between licentiousness and legal liberty

of the press, and there were undoubted abuses that he could attack without being suspected of reactionary zeal. But his attitude throughout these opening debates of the 1774 session was vexatious, though, as we have suggested, it may have been with an involved political purpose. He wanted, we surmise, to be rid of his connection with the court, and adopted this rather odd method of realising his ambition. Two points in his "glorious revolution" speech, however, deserve notice. Objection was made to punishing this "poor despicable South Briton . . . after so many more pernicious libellers were permitted to walk at large," and the names of Shebbeare and Johnson were mentioned. Shebbeare was a notorious and insignificant Tory hack, who, like Johnson, had been pensioned. Fox intervened at once: "Sir, I cannot subscribe to the propriety of coupling Dr. Johnson and Dr. Shebbeare together. I should be very much against persecuting a man of great literary abilities, for any opinions which he might happen to drop in works not professedly political. . . . I must make an eternal distinction between the cases which he represents as the same. The peculiar opinions of men of great literary abilities, who have accidentally dropped them, are not what I think ought to meet with persecution. To do so would be to injure the cause of literature, which is ever best encouraged under a free government." That passage, emerging from a not very edifying context, is the one note sounded by Fox in these debates prophetic of the man that he was to be. Samuel Johnson himself heard the speech from the Gallery, and he never forgot the compliment. The other point for our notice is the concluding phrase of Charles's motion: ". . . libel upon the Constitution of this Country, and tending to alienate the affections of His Majesty's subjects from His Majesty and his Royal Family." Can it be that at the last moment he wondered whether after all . . . ? Perhaps not; in any case, he

had gone too far. On February 24, 1774, he received a letter: "Sir,—His Majesty has thought proper to order a new Commission of Treasury to be made out, in which I do not see your name.—North." So that was an end of office, for eight years. Before him lay Burke, and freedom, and the American Revolution. On January 18 Walpole had written in his diary: "This week came accounts of very riotous proceedings at Boston, where the mob broke into the ships that had brought teas, and threw about three hundred and forty chests into the sea." And on February 4 the King had written to North desiring him to consult with Lieutenant-General Gage "as to the mode of compelling Boston to submit to whatever may be thought necessary."