

THE QUEEN'S CONSCIENCE.

[ From Chambers's Journal. ]

Most persons of an inquiring turn of mind, upon hearing that the Lord Chancellor of the kingdom, for the time being, is the keeper of the Queen's Conscience, may be presumed to ask themselves the question, how, at the resignation of an old, and the formation of a new ministry, so very immaterial a thing as a conscience can be taken from the possession of one individual, and placed in that of another.

But royal conscience, gentle reader—that is to say, the royal official conscience—for that alone is in the possession of the minister—is not by any means so destitute of tangible substance as might, from the nature of ordinary conscience, be supposed: it is in fact, as capable of being placed by the sovereign in the hands of the chancellor, and carried home by him in his coat pocket, as is his handkerchief or snuff-box.

If, disregarding all the severe penal enactments relative to burglary, you were, some quiet evening, to break and enter the dwelling-house of the high official just mentioned, and taking advantage of his absence in the country, were, to turn over the piles of papers which doubtless choke up his escritoire, you would probably meet with a neat leather-covered box, about eight inches square, the royal arms richly emblazoned upon which, together with the Bramah lock securing it, would indicate the contents to be of no ordinary value. Carrying the illegal proceedings of which we have presumed you to be capable still further, and breaking open the box itself, you would meet with two silver disks, closely fitting one to the other, in appearance not very unlike two bright tin sauce-pan lids without handles; and these disks, upon being separated, would reveal, upon the inner surface of one, a deep-cut device of her present Majesty enthroned, with the cardinal virtues round her; and upon the other, a representation of the same exalted individual on a caparisoned horse, attended by a page.

The two pieces of silver are doubtless reckoned by the chancellor among the choicest of his treasures; for not only does the mere possession of them, unaccompanied by commission, appointment, or any document whatever, constitute him the second man in the kingdom, the supreme judge of the Court of Chancery, the speaker of the House of Lords, and the possessor of a salary of £14,000 a year, with immense patronage both in the church and in the state; but the being intrusted with them is the greatest mark of confidence the sovereign can bestow, being no less than placing at his disposal nearly every power of the royal prerogative.

The two silver disks are, in fact, the matrix by means of which is formed that enormous wax-seal, in size and appearance something like a well-buttered muffin, commonly known as the 'Great Seal of England,' and which is appended to all those acts of the sovereign which it is the royal pleasure publicly to make known to the subject.

Sealed with this, whether by lawful authority or not, every document which can emanate from the sovereign is rendered valid, and irrevocable without the consent of the three estates of the realm; so that his holder can, if he chooses to betray his trust, punish the most heinous offender confer on whomsoever he pleases the highest title of nobility, or grant charters to all the towns in the kingdom; he can, in fact, make use of almost all those prerogatives which law and custom have placed in the hands of the sovereign, to be exercised for the good of the subject; and therefore, when in possession of the important instrument, he is not unfrequently said to be the keeper of the Queen's conscience.

It seems rather singular, considering the great importance always attached to this emblem of royalty, that it should have been trusted out of the sovereign's hands at all; yet, from the earliest times, we find it in the possession of a certain 'Lord Keeper.' Before the time of Edward the Confessor, indeed, it is doubtful whether the sovereign had any tangible conscience at all, for the charters preceding that reign are usually ratified by a cross made in gold ink; but as soon as the great seal came in fashion, some man eminent for his learning and attainments was selected to take the custody of it, the sovereign hanging it round his neck, and telling him to use it 'to the honor of God and his king.'

The first great seals were rude enough, the earliest one we possess being a dab of lead, hung by a silk string to a charter of Edward the Confessor. Lead was soon exchanged for wax; and the Conqueror, together with many of his successors, used green wax, to signify the perpetual nature of the document—a custom retained at the present day in the seals attached to charters, patents of peerage, and other instruments having an unlimited duration.

If we may credit the testimony of Stowe upon the subject, William I. had a curious and simple way of sealing his grants, being none other than that of putting on the wax the impression of his own royal teeth. In support of this assertion, a grant of a certain manor of Hope to one Paulyn Raydon is cited, which in modern English runs as follows:—

I William, king, in the third year of my reign, Give to thee, Paulyn Raydon, Hope and Hope town, With all the bounds both up and down, From heaven to earth, from earth to hell, As truly as this king's right is mine, For a cross-bow and arrow,

When I shall shoot in you yarrow;  
And in token that this thing is sooth,  
I bite the wax with my fang tooth,  
Before Meg, Maud and Margerie,  
And my third son Henry.

The keepers of the great seal in ancient times—much the same as at present—exact good round sums of money before they would affix it to any document; and one can scarcely imagine the enormous profits made, some 600 or 700 years ago, by the fortunate holders of it. John, being in want of money, put the custody of his seal up for sale, and one Walter Gray bought it for 5000 marks—a sum equivalent to about £61,000 of the present day; but gave it up in a few years, for the still more lucrative dignity of Archbishop of York.

Another of its custodians, John Maunsel, neglecting to distribute the church-patronage as it fell vacant, which it vested in him, held at one time 700 livings; and a good 150 years later, so great was the sum of money which the revenue of his office permitted Chancellor Beaufort to lend to Henry V., that the sovereign placed his crown in the hands of his chancellor, as a guarantee for the repayment of the loan. Indeed, the vast wealth which its holders were enabled to realise, coupled with the enormous powers which the custody of it gave them, rendered it absolutely necessary to the safety of the sovereign, that his seal should be intrusted only to the hands of persons well disposed to the cause; and in early times, it was frequently a very difficult matter to find a safe guardian for it.

An amusing instance of this occurred when Henry III. found it necessary, upon a certain occasion, to leave his kingdom for a short time, and could find no one whom he thought worthy and capable of performing the duties devolving upon the keeper of his seal. After vainly endeavouring to fix upon some male keeper, he at last placed it in the hands of his wife, Eleanor, who not only sealed all his writs and charters during his absence, but sat in person in the court of Chancery, hearing causes and delivering judgment—her judicial functions being interrupted only for a short time by an accident peculiar to a female judge, no other, in fact, than her confinement! After being churched, she returned to her duties, and held the kingdom for nearly a year.

Our ancestors appear to have looked with a sort of superstitious veneration upon the great seal itself, for they not only recognized the sovereign as the fountain of justice, mercy, and honour, but they believed that that justice, mercy, and honour must be conveyed through this medium alone. A remarkable exemplification of this belief was given when the infant Henry VI. then but nine months old, was held in his nurse's arms to preside over his first council; the massive seal of the kingdom was laid in his lap, the child's little hands were closed over it, and thus it was supposed the seal received a royal virtue; and the Master of the Rolls, taking it into his custody was presumed to be, by its possession, invested with all the powers of the sovereign.

We may smile at these rude ideas of the fifteenth century; but let us not forget that nearly 400 years later, when the illness of George III. prevented him from giving his assent to the bill appointing his son regent, the great lawyers of the day, with the illustrious Camden at their head, seem to have been imbued with pretty much the same superstition; for they declared that although the king in his natural capacity was unable to act as a sovereign, in his political capacity he was as healthy as ever—the political king being the great seal; and by means of that political king the bill was passed. This dictum of Lord Camden has received the approval and affirmation of lawyers and politicians from his own to the present time; and therefore, however strange the assertion may appear, it is nevertheless true, that there are in reality, at the present moment, two sovereigns in the country—the natural one being the august lady so worthy of our allegiance and love; the political one being the two silver sauce-pan lids whose history we are examining.

Indeed, the peculiar way in which the great seal is at present used—to render valid letters directed by the sovereign to private individuals, affords another proof of a belief in some peculiar and inexplicable virtue residing in it. Two kinds of instruments have 'to pass under' the great seal—the one class, such as monopolies of inventions, commissions, &c., directed to all the Queen's subjects, and called 'letters-patent,' have the seal affixed by a plaited silk cord at the foot; sometimes, as before mentioned, made of green, but ordinarily of yellow wax, which, in certain cases, where the instrument is likely to meet with a good deal of wear and tear, is enclosed in buff-colored leather, upon which the obverse and reverse of the seal are stamped. But where the letter is directed to a private individual, the seal is, as in other letters, used to secure it from general observation, but used in a very singular manner: the parchment document is rolled tightly up, forming a little bundle about two inches long, from which a long strip protrudes, having the name and title of the person to whom it is addressed written upon it. A piece of twine is tightly tied around the package; a bit of wax, about as big as a sixpence, is pressed with the thumb and finger upon the ends of twine; and the sealing is effected by merely touching the writ with one of the halves of the seal, when it immediately becomes invested with the dignity of a letter proceeding from the sovereign.

Perhaps no one ever had a greater idea of the importance of the seal of the kingdom than the ill-fated Charles I., and very much delighted was he when a messenger came to him at York bearing this important instrument, which he fully believed had fallen into the power of the parliament. In proportion as he was rejoiced, however, the parliament was disconcerted, when they discovered that the emblem of sovereignty had slipped through their fingers. The king could issue whatever proclamations or other instrument he thought proper, and that in a perfectly legal manner while they themselves could not fill up the place of a deceased member of their own body, or perform a single act of state in which the great seal was necessary. Deliberating, and waiting, and going to prayers many times, they resolved to form a new seal for their own particular use.

The resolution was a notable one; but there were few Wylons in those days, and those who did exist, had a very righteous dread of a certain old statute of Edward III., which declared that any person imitating, forging, or counterfeiting the king's great seal should suffer death as a traitor; and which statute they had not the least doubt would be rigorously enforced, should fortune again smile upon the king, and they be found to have performed such treasonable act. Money, however, like love, conquers all things; and after some time, a bold man named Master Symonds was found, who agreed—for £40 paid down, and £60 to be paid when the work was completed—to make a new seal, the fac-simile of the one in the possession of Charles. This fac-simile was made, and used by the parliament until the Commonwealth was sufficiently settled to have a seal of its own, from which all regal emblems were carefully excluded. The original seal of the kingdom, coming into the hands of the parliament upon the capitulation of Oxford, in 1645, was broken in pieces by a blacksmith, at the bar of the House of Commons.

Since the Restoration, the great seal has once or twice been in very considerable tribulation. When James II. was on the throne, the atrocious Jeffreys was its custodian; so alarmed was James when upon the point of abdicating, lest the important instrument should get into the hands of his political enemies, that he made Jeffreys come and reside in the same building with him, at Whitehall, in order that the seal might be continually under his own observation and protection. The day before he left the kingdom, he took it from the chancellor, and whilst being ferried across the Thames on his flight to France, he threw the ensign of royalty into the river, fondly imagining that the regal functions could not be performed without it. If indeed such had been the case, the action was rendered useless, for a short time afterwards the ill-used seal was dragged up in the net of a fisherman, and conveyed by him to the privy-council.

In 1784, during the chancellorship of Lord Thurlow, the great seal was really lost. Some burglars entered his lordship's house, and walked off with a few valuables, amongst which was the seal of the kingdom, and I believe it never was recovered. A privy council was summoned next morning, the loss made known, and such was the expedition used, that in thirty-six hours a new seal was prepared; and we have it on good authority that, for the remaining eight years of his chancellorship, the noble lord always slept with the great seal under his pillow.

More ridiculous was a temporary loss of the seal during the chancellorship of Lord Eldon. This great judge had the profoundest sense of the importance of the trust reposed in him, which was doubtless not diminished by the kind and singular manner in which his sovereign had conveyed it into his hands; for Lord Eldon tells us in his diary, that when he went to the palace for the purpose of receiving the seal, the king (George the III.) was seated on a sofa, with his coat partially buttoned, and the seal pushed in on the left side, between his coat and waistcoat. He drew it forth on the appearance of the chancellor, and handed it to him with these words: 'Here, I give it you from my heart.'

Having all this continually in his recollection, his lordship never went to bed a single night without having the seal in his chamber. One night, in the year 1812, he was awakened by his house being on fire. His first thoughts were for the safety of the seal; snatching it from the place where it lay, he rushed down stairs and buried it in the flower-garden behind the house. Upon returning to his dwelling, he says, in his diary, that he was 'so enchanted with the pretty sight of the maids who had turned out of their beds, and were handing in buckets of water to the fire-engine, all in their shifts, and so alarmed for the safety of Lady Eldon,' that in the morning he could not recollect in the least which flower-bed he had buried the seal. 'You never saw,' he adds in the diary, 'anything so ridiculous as seeing the whole family down the walks dabbling with bits of sticks until we found it.' This was, we believe, the last time the great seal has been in danger of being lost.

At the present day, both as regards itself and its custody, the seal of the kingdom retains all its original importance. As our wise

laws have declared that the king never dies, so they have most carefully provided against the kingdom being ever left without a great seal; the standing rule being, that when a fresh one is required, the old seal is not destroyed till the new one is completed. The birth of the new seal is a matter of much form and ceremony. The sovereign summons the privy-council, and a warrant is directed to the royal engraver, calling upon him to attend the council, with designs for the required instrument. These being chosen, the matrix itself is put in hand; and upon its completion another council is held, at which the new seal, if approved, is transferred from the sovereign's own hands into those of its future keeper, who, by such transfer, takes upon himself all the dignities we have before mentioned. In olden times another little ceremony was always observed: the new chancellor had personally to affix the seal to a document, in the presence of the council, in order, we suppose, to show that he understood the duties of his office—just as the sheriffs of London and Middlesex, at the present day, give proofs of their education and ability, by counting some hobnails, and chopping some sticks in the Court of Exchequer, before taking the oaths of office. But the seals used in olden times, although great in name, were comparatively small in actual dimensions, being at most not above two or three inches in diameter; and sealing a document with them was perhaps little more troublesome than sealing an ordinary letter. The great seal seems, however, to have increased in size, in a direct ratio with the increasing power of the sovereign it represents, and at the present day is so large, that the noble keeper of it would probably burn his fingers severely were he to attempt the personal sealing of any document with it; and indeed the services of two skillful officers, called respectively 'the sealer' and 'the chaff wax,' are put in requisition whenever the seal is affixed.

As the birth of a new seal is a matter of ceremony, so is also the defacing of an old one. This operation, technically termed 'damasking,' is performed by the sovereign in council—the old seal being, in the eye of the law, rendered useless after the sovereign has hit it a gentle blow with a small hammer. The damasked seal is the perquisite of the chancellor, a perquisite of more value at the present day than formerly, for up to the year 1815 the seal was made of copper, whereas now, as we have already said, it is of silver. A very amusing incident occurred at the damasking by William IV. of the seal used by the preceding king. Lord Lyndhurst held the seal at the demise of George IV., but Lord Brougham was its keeper when the seal of William was completed; hence there were two claimants for the damasked seal, one arguing that it was really a seal of the preceding reign, and as such vested in him at the death of the sovereign; the other, that it was in full force until it was actually defaced. The king himself was eventually appealed to, to settle the dispute, and—as is the case in most matters—there being much to be said on both sides, he decided that the two lords should each have half; and very kindly ordered his goldsmith to insert the two halves in two superb silver salvers, which he presented to his two ministers, recommending them to 'toss up' which should have the obverse, and which the reverse of the seal.

As the great seal is delivered into the hands of the chancellor by the sovereign himself, it has from time immemorial been the custom for that officer to render it back again personally to his master, or at all events, only to part with it to a special messenger, armed with a warrant under the sign manual, and sent directly from the sovereign to receive it. Every one knows the bold stand Wolsey made when, after his fall, the Dukes of Norfolk and Suffolk endeavoured, by a merely verbal message from the king, to obtain from him his important trust; and how the noble messengers were obliged to retrace their steps, and obtain the legal document which the great cardinal required. It was indeed no uncommon thing for the Tudors and Stuarts to make personal and private application to their chancellor for the great seal, and to retain it in their custody for a few days, during which they used it to give effect to proclamations, pardons, and dignities, to which they well knew their chancellor would be either too conscientious or too fearful to affix it.

The danger of losing the great seal, if continually moved from place to place, coupled with the presumed necessity of its being always present when the chancellor performs any one of his political or judicial duties, as declaratory of the fact of his really having in his possession the instrument from which all his power is derived has of late years caused a curious notion to be adopted. The beautifully embroidered purse or bag made for the reception of the seal is alone borne before the chancellor, and exhibited in the Court of Chancery, the House of Lords, and elsewhere, in place of the seal itself, which it seldom if ever contains, and which is only taken from a more secure depository when actually required to be used. Thus the great seal is the very antithesis of