

**ANTIENT PARLIAMENTARY ELECTIONS:  
A HISTORY SHOWING HOW  
PARLIAMENTS WERE CONSTITUTED  
AND REPRESENTATIVES OF THE PEOPLE  
ELECTED IN ANTIENT TIMES**

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Antient Parliamentary Elections: A History Showing How Parliaments Were Constituted and Representatives of the People Elected in Antient Times by Homersham Cox

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BY  
HOMERSHAM COX, M.A.  
BARRISTER-AT-LAW:  
AUTHOR OF 'THE INSTITUTIONS OF THE ENGLISH GOVERNMENT'  
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## P R E F A C E.

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A FEW YEARS AGO the compilation of a satisfactory history of Antient Parliamentary Elections would have been almost impracticable. Some of the most important documents relating to the subject were but little known, and others entirely unknown. For example, when the elaborate 'Report on the Dignity of a Peer' was published in 1820, the writers, though they were officially assisted by the keepers of the Public Records, and could command the services of the whole of that department, were not acquainted with the returns for the very first regularly constituted and complete House of Commons ever convened in this country—that which sat in the twenty-third year of the reign of Edward I. Those returns have since been published in the magnificent collection of Parliamentary Writs, edited by Sir Francis Palgrave. The publication of that, and of the other great works issued by the Record Commission, marks a new era in the study of Constitutional History. But the very magnitude and number of the volumes, and the obscurity of the language in which they are written, render them inaccessible to all but the most diligent and determined inquirers. In another branch of the subject discussed in the following pages—the Saxon polity—most important additions to our means of knowledge have been made within the last few years. In order to investigate accurately the original suffrage, either in counties or

boroughs, a knowledge of English political institutions before the Conquest is requisite. It was not until 1840 that the 'Antient Laws and Institutes of England' during the Anglo-Saxon period were made fully accessible by the publication of a collection of those laws, edited by Mr. Thorpe, under the direction of the Commissioners of Records. Another work, from which I have derived even more important assistance, is the 'Codex Diplomaticus Aevi Saxonici,' edited by Mr. Kemble, and published in six volumes, between the years 1840 and 1848, by the Historical Society. The series comprises upwards of fourteen hundred documents, many of which are of the greatest value in ascertaining the nature of Saxon Government. Also, from several of the books lately issued under the direction of the Master of the Rolls—particularly the series of 'Chronicles and Memorials of Great Britain and Ireland'—I have frequently derived valuable information.

But, besides these recent publications, others, long known to inquirers into the antiquities of the English Constitution, have been consulted. The 'Hundred Rolls' of the reign of Edward I. and his predecessor have been published more than half a century in two very large and closely-printed folio volumes; but the very obscure contracted Latin in which they are written, and the technical expressions with which they abound, render them unintelligible to all but a very few readers. Yet they are a vast mine of constitutional knowledge, and in some respects more interesting than even the Domesday Book itself. The works of that prodigy of learning—Prynne, especially his 'Brief Register' of Parliamentary Writs; the 'Firma Burgi,' and 'History of the Exchequer,' by Madox; and Spelman's 'Glossarium,' will of course be consulted by anyone who wishes to obtain authentic materials for a history of the suffrage. Going still further back, it is obvious that in writing such a work it is necessary to refer to the earliest jurists—Glanville, Britton, Bracton, and Fleta. Copious use of

these authorities has been made ; and though, of course, anything founded upon them cannot be considered as absolutely new, much of the information here collected from them will probably appear novel to many of my readers.

The earliest chapters of this work are necessarily of a preliminary character, and may seem superfluous to a reader anxious to plunge *in medias res*. I am certain, however, that in the study of the subject here discussed, a preparatory consideration of the state of society to which our parliamentary institutions adapted themselves, is indispensable. In the first place, therefore, the social and legal status of the various agricultural classes in the Middle Ages has been investigated. The close connection of this subject with the county suffrage will be immediately obvious. The third and fourth chapters treat of that much-controverted subject—the constitution of the antient County Courts. The condition of the persons who frequented those assemblies has long been a vexed problem of history ; and I do firmly believe that it is now for the first time solved—principally by a most fatiguing and protracted exploration of the ‘Hundred Rolls.’

The fifth chapter relates to the origin of Parliament, and the development of the representative system in the thirteenth and fourteenth centuries. In this chapter are collected numerous authorities, which appear decisive of the much-controverted question whether villans, the most numerous class of county tenantry, were contributory to parliamentary taxes and the wages of knights of the shire. That they were so contributory, and that they had a right of suffrage, seems to me now absolutely beyond doubt. In the next chapter the changes in the county suffrage, in the reigns of Henry IV. and Henry VI., are traced ; and I have endeavoured to show the real reasons for the violent innovations of the latter reign, and the disastrous consequences which ensued. The extinction of antient electoral rights in the time of Henry VI. marked and hastened the