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# ABOLITION OF PURCHASE IN THE BRITISH ARMY<sup>1</sup>

BY ARVEL B. ERICKSON

ONE of the chief results of the Crimean War was that the British public became aware of the need for substantial reform in the Army. Newspapers and journals devoted much space to the subject; Royal Commissions studied it; and Parliament often debated it. But everyone who tried to reform the Army found himself blocked at every turn by the system of the purchase of military commissions.

On April 21, 1856, the *Times* published a letter written by Colonel Yorke at the Horse Guards (office of the Commander-in-Chief), that serves excellently as an introduction to a study of the purchase system:

Sir, I am directed by the General Commanding-in-Chief to desire that you report yourself at the office of the Royal Military College at Sandhurst at 10 o'clock on the morning of the 22nd . . . for the purpose of undergoing a further examination in Latin or French and Algebra. You are, however, distinctly to understand, in the event of your passing satisfactorily, that circumstances will give you no claim to be appointed to a commission before it may come to your turn in reference to your standing with other candidates on the list; but the General Commanding-in-Chief will be happy to bring you forward *if you can purchase*, when he can do so consistently, with his other engagements.

I beg to observe that in the event of your passing . . . no hope can be given you of an appointment *unless you are prepared to purchase*, upward of 250 gentlemen, who have passed, still remaining unprovided for. (Italics by author.)

To become a commissioned officer, a young man paid a sum of money to a previous holder of the lowest commission. On his promo-

tion to a higher rank, he paid an additional and larger sum to the officer whose place he took, and partly offset the expense by selling his old rank to some one else. This process went on through the rank of Lieutenant-Colonel. Higher ranks were never for sale.

To receive his first commission, a candidate was required to prove that he had received the education of a gentleman, which included military drawing and the ability to speak a continental language. In addition, promotion went by seniority as long as the senior officer had the money with which to purchase. Hence, if a Major's commission was available, the senior Captain in the regiment had the initial opportunity to purchase it. If he could not, the next senior man had the opportunity, and so on. And, while it is true that the regimental commander was required to certify as to the fitness of the man to be promoted, he himself was a product of the purchase system and had a heavy investment in it. Consequently his certification became a mere formality.

Whether one traces the origin of the system to 1672, when commissions were bought and sold with two different rates fixed—one for outsiders and one for officers already in the regiment—or to the Restoration, when military as well as other officers were sold, it is certain that the system existed in 1783, for a Royal Warrant of that year acknowledged its existence.<sup>2</sup>

In the following decades the practice became regularized. Parliament from time to time imposed taxes for raising regiments of horse or foot. The money was paid to the

<sup>1</sup>Study of the source materials in England on which this study is based was made possible by grants from the Social Science Research Council and the American Philosophical Society. Professor Erickson is on the faculty of Western Reserve University, Cleveland, Ohio.

<sup>2</sup>*War Office Papers*, 33/19, pp. 191-201. (These papers are at the Public Record Office and will hereinafter be cited as *W.O.P.*)

Treasury, and the Crown, through the Minister of War, contracted with certain "gentlemen" to raise, each of them, a regiment on condition that besides getting the money the Treasury had agreed to pay, he would be allowed to raise the regiment and to nominate his own officers. But the funds seldom sufficed to pay the costs of enlistment and uniforms, so the Colonel recouped himself (most adequately) by communicating with friends, who came forward and agreed to raise companies or half-companies at their own expense. The Captain who raised his company, and the Lieutenant who raised his subdivision, claimed such amount out of the common fund as the Colonel was willing to make over to him. As this customarily fell short of requirements, the Majors, Captains, and Lieutenants were, in turn, recouped by acquiring a right of property in their commissions. They had paid for them by raising men; they held them so long as it suited their convenience. When they wished to retire from the service they merely sold their commissions to the highest bidder. Hence it was that the Army came to be officered by men of high social position—"the best classes"—and assumed its aristocratic flavor. The inevitable consequence was that in peace time there could be no promotion except by purchase, no Army reform without its abolition.

In 1719 a scale of prices had been fixed by law and an order was issued that an officer who wished to sell his commission could no longer choose his successor. This right was given to the Crown. The door was thus opened to all manner of abuses, and commissions became bribes for political subserviency or reward for political services. Furthermore, the prices rose so high that George III, in 1766, issued a Royal Warrant setting ceilings on them. With subsequent modifications, this price list remained unchanged until purchase was abolished in 1871. Prices varied in the different military units, but the follow-

ing list for regiments of foot illustrates the scale:

Ensigns .....	£ 400
Lieutenants .....	550
Captain-Lieutenants .....	800
Captain .....	1500
Major .....	2600
Lieutenant-Colonel .....	3500 <sup>3</sup>

As the officer being promoted sold his old commission, the promotion cost him only the difference in price between his new commission and the old one.

But there were cases in which purchase did not apply—such as the Royal Artillery and Royal Engineers—where technical training was required. In these services, promotion was by merit—then called "selection." In addition, since purchase officers in other branches were aristocrats by birth and training, and tended to ignore things which were scientific and beneath the dignity of gentlemen, they did not desire service in the technical branches.

Statutory regulation of the system dates to the Statute of Edward VI (6 Edward VI, c. 16) which declared: "no public office shall be sold, under pain of disability to hold or dispose of it." But this did not apply to those offices held in the military service and the purchase of commissions in the Army developed under various regulations until 1809, when Parliament forbade the sale of any office. This Statute of 1809 (49 George III, c. 126) clearly fixed the legal status of purchase, for under its provisions it became a misdemeanor to buy or sell any office, save commissions in the Army sold at regulation prices, to receive money or reward for negotiating such sales, to open an office for such business, or to buy or sell any commission that named its price by His Majesty's regulations.<sup>4</sup> Hence the only sales legalized were

<sup>3</sup>See Robert Biddulph, *Lord Cardwell at the War Office* (London: John Murray, 1904), p. 3.

<sup>4</sup>*W.O.P.*, 33/19, p. 199; *Statutes at Large*, 49 Geo. III, c. 126, s. 5.

those made in strict accordance with the regulations; and any buyer or seller who sold at more than those rates, and all buyers and sellers of Militia or Volunteer commissions at any price, were guilty of a misdemeanor and punished by indictment in the King's Bench. The officer who purchased had a claim upon the Crown to permit him to dispose of his commission if he was in good health and had not been guilty of misconduct. But he could legally receive only as much as his commission had cost him. The non-purchase officer had to ask permission to sell, and received only that part of the sale price the Crown saw fit to allow him.

In actual practice, however, regulation prices were ignored and the value of commissions fluctuated, particularly in the long peace after 1815, and soon over-regulation prices were paid. Though this practice was never officially sanctioned, no attempts were made to stop it. Habitual violations of the law were never given official notice, and the authorities, as *Fraser's Magazine* put it, "cognizant of the practice, and either unable or unwilling to put a stop to it, retained the regulations . . . while they ceased to exact the pledges which had been devised as a security for their rigid observance."<sup>5</sup>

Edward T. Cardwell, Secretary of War, 1868-1874, appointed a commission to study the problem. It reported, in 1870, that the actual market price, while it varied from time to time, was generally "more than double . . . the regulations price"; that an illegal practice had grown up of paying and receiving money not allowed by any regulation for the exchange of commissions; that these exchanges took place openly and were usually arranged by agents. And, it concluded, there had been a relaxation of all prohibitions and regulations, and "a tacit acquiescence in the

practice, amounting . . . to a virtual recognition of it by civil and military departments and authorities."<sup>6</sup>

It was natural, therefore, that the system should be opposed by Army reformers. It was pointed out that such a surrender by those in power to the caprices of the officers weakened discipline. Unsoldierly habits crept into the Army, drills were ignored, officers spent more time at their clubs, and no inducements were held out for study of the theory and practice of military science. Furthermore, the practice pressed with great severity on the less wealthy officers who were, as the commission pointed out, "placed in a painful and invidious position."<sup>7</sup> No officer who was ready to pay the regulation price could be passed over, but if he could not pay the additional price, he had to borrow the money at a high rate of interest or withdraw his name from the list of purchasing officers. This permitted a wealthy junior officer to pass over the heads of his seniors or, even worse in some respects, stop the promotions in the regiment. If he did the latter, his brother officers would ostracize him. Thus the Army came to be officered largely by the least industrious and the least educated of the upper classes. This led to another evil: promotions and awards went to those who could buy themselves off from dangerous and unpleasant foreign assignments in the Colonial service, and who stayed at home jobbing and intriguing in the environs of Whitehall and Westminster. The system therefore deprived the military of useful servants and kept the bad ones. Since most officers married, if at all, between the ages of 26 and 38, the expenses of a family man bore so heavily upon him that rather than enter the Indian or Colonial service, he turned his commission into cash and retired from the service pre-

<sup>5</sup>*Fraser's Magazine for Town and Country* (London, 1872), New Series, V, p. 268. (Hereinafter cited as *Fraser's*.)

<sup>6</sup>*Sessional Papers* (House of Commons), 1870, XII, p. 25.

<sup>7</sup>*Ibid.*, p. 15.

cisely at the age of his greatest value to the State. The presence of rich young officers gave to the regimental messes an expensive tone, ruinous to morale. The commission of 1857, in reporting on this evil, declared that purchase, while discouraging poor men from entering the service, attracted "idle young men, who, having money at their disposal, regard the Army as a fashionable past-time for a few years of leisure, and bring with them habits of expense and dissipation."<sup>8</sup> In addition, the quality of the officer class being shockingly low, a real professional class did not develop. The changing character of war by 1870 meant that the mores of the "playing fields of Eton" no longer were adequate, and that the abolition of purchase would make the Army more professional. The system was unjust too, in that it enabled junior officers of wealth to pass over their seniors. Cases were known of Lieutenants having more service than any other officer in the regiment. There were, according to Sir Robert Biddulph, an Army reformer, cases where Lieutenants had fifteen years of service and their Captains only six; of Colonels with less service than Subalterns. The effect on morale is obvious. Finally, the system produced rigidity, for the Army could neither expand nor contract. A reduction in total forces meant a retirement of officers at a financial loss to them. Every expansion had perforce to be measured against the pains of a future contraction at a time when flexibility was urgently needed. England simply could not get the Army it needed so long as purchase remained.

And yet the system had its defenders. Many held to the view expressed in the preamble of 26 George III, c. 107, that "a respectable military force under . . . officers possessing landed property . . . is essential to the Constitution of this Realm," and loved to quote Palmer-

ston's declaration that "it was desirable to connect the higher classes of society with the Army; and he did not know any more effective method . . . than by allowing members of high families, who held commissions, to get on with greater rapidity than they would by mere seniority."<sup>9</sup> Wellington also had declared that the best officers were gentlemen, who would scorn to do a dishonorable thing and had more at stake than mere military smartness. Abolishing the purchase system would give a serious wrench to the Constitution by officering the Army with men from the lower classes who, they believed, would constitute a dangerous element in society and might support arbitrary governments. In an age of revolution in Europe and at a time when the landed aristocracy was subject to continuous attack, the officer corps was held to be a bastion of the old order.

It was argued, furthermore, that the system was economical because, by allowing the purchase of first commissions, it made possible the raising of a large sum of money that materially reduced the Estimates. Further, the system confined the profession to wealthy gentlemen, who, not dependent upon their professional income, were willing to serve for smaller pay than those with no other income. Thus, without purchase, recruitment of good officers would require higher pay. Then too, a retiring officer realized a considerable sum on selling out and did not need to be paid a pension. Those who used these arguments estimated that the abolition of purchase would cost between £8,000,000 and £12,000,000.

The same proponents pointed out that purchase avoided the evils of promotion-by-selection and hence eliminated favoritism and outside interference. More to the point, by speeding retirement and accelerating promotions, it prevented stagnation at times when

<sup>8</sup>Cited in *W.O.P.*, "Arguments For and Against the Purchase System," by Lord Granville, 1871. See also *Granville Papers* (P.R.O.), 30/29/68, pp. 232-258.

<sup>9</sup>*W.O.P.*, 33/19, p. 201.

promotion would otherwise be slow. The *Economist*, in analyzing this argument, said:

As there are more ensigns and lieutenants than captains, more captains than majors and more majors than colonels to a regiment, it is obvious that were the rule of seniority uniform . . . promotion would be so slow that the service would scarcely be worth having, and no man could arrive at the head of a regiment in ordinary times till he was far advanced in life. Unless, therefore, you can offer some considerable inducement to officers to retire after a moderate term of service, we shall be utterly choked up with grey-headed majors and decrepit colonels.<sup>10</sup>

Promotion by seniority would produce, therefore, senility in the top ranks. Purchase prevented this evil because young men who bought their way into service would remain for only a short time and then retire to civilian life, making their places available to others.

Cardwell, himself from the middle class, could scarcely be impressed by the class argument in favor of purchase. His own class had now every bit as great a stake in the country as did the landed classes. He believed in the system of promotion by merit, and he knew that a partly gratuitous service was not only an unreliable and desultory service, but an inefficient one as well. Prussian Army successes in 1864, 1866, and now in 1870, proved conclusively the merits of a professionally-trained officer corps in which promotion was the reward of merit. Furthermore, the obvious illegality of the entire purchase system shocked Cardwell's conscience. In his opinion, the Army belonged to the nation, not to a single class. He had plans for substantial military reforms, but he could not carry them out as long as purchase remained. To illustrate, he had planned to muster the Militia into service with the Regulars in the event of an emergency. Doing so would involve mixing purchase and non-purchase officers, but Militia officers could not be made equal

to the others because their service was only temporary. So long as two classes of officers existed, personnel could not be shifted in and out of the reserve. And, because the creation of adequate reserves, fused with the Regulars, was imperatively needed, purchase had to be abolished.

Cardwell knew that this task would require the utmost tact and patience. He knew he would face the opposition of the Queen and of the Duke of Cambridge, the Commander-in-Chief of the Army, both of whom were sensitive about any changes touching royal prerogative. In fact, on November 24, 1869, the Duke, who never suffered overmuch from fatigue of the brain, had written to Cardwell: "I should . . . deeply regret any change in the system of purchase for . . . it has worked to the interest of the service." It had given England good officers, he said, and a good system of promotion.<sup>11</sup> The officers, for the most, agreed with the Duke, largely because they had a class interest and a financial stake in the system. Cardwell could also count on the hostility and opposition of the high Tories and the Conservatives—the former from class motives, the latter from political motives. But he could scarcely have anticipated that the opposition would be as formidable and as violent as it became.

The contest was begun early in 1870 when Cardwell proposed the abolition of the lowest ranks in the Army—those of Cornet in the Cavalry and Ensign in the Infantry. These ranks were now obsolete because their sole duty had been flagbearing for a troop or company, a practice that had been discontinued. Consequently, the lowest rank now would be that of Lieutenant—a rank with a higher purchase price. Cardwell proposed that the Government make up the difference to the Cornets and Ensigns, who would be forced

<sup>10</sup>*The Economist* (London, 1855), XIII, No. 605, pp. 333-334.

<sup>11</sup>Duke of Cambridge to Cardwell, November 24, 1869, in *Cardwell Papers* (P.R.O.), 30/48/3-12, p. 150.

to purchase higher commissions. But the existence of over-regulation prices meant that Parliament did not know how much to appropriate for the purpose. Cardwell appointed a commission of investigation to inquire into a practice "alleged to exist in the Army in which Regimental Promotions are made by Purchase, of paying in respect of Promotions, and of Receiving in respect of Retirements, sums in excess of those sanctioned by the Royal Warrant of 3rd February, 1866." Under the chairmanship of Sir George Grey, the committee of nine reported that the payment of over-regulation prices "was clearly illegal," that the law was habitually violated, and that the violation was supported "by long-established custom, and unchecked by any authority." In fact, there had been a tacit acquiescence in the practice that amounted to "a virtual recognition of it" by officials.<sup>12</sup>

Cardwell spent the entire summer studying the report and discussing it with Lord Northbrook, Colonel Sir Garnet Wolseley, Major Robert Colley, Evelyn Baring (later Lord Cromer), and others. By October 5, 1870, his plan for the abolition of purchase was completed. The abolition would be costly, perhaps amounting to £10,000,000 in all, but he agreed with Lord Grey that "it was better to let the Purchase System alone, unless you were prepared to abolish it altogether."<sup>13</sup> Major-General Balfour had written to Cardwell to the same effect: "The change when decided upon must be complete and thorough," and the whole business must be rooted out, "leaving no loop-holes."<sup>14</sup>

In February 1871 before a full House, Cardwell introduced his famous Army Reorganization Bill in a speech that the *Times*

described as dull enough at first "to chill the ardour of the most sanguine." But, as Cardwell progressed, "smoothly and steadily," it became clear that he was "getting through a difficult piece of work remarkably well." At the conclusion of the speech, Cardwell sat down "amid real enthusiasm" on the part of the House.<sup>15</sup> The *Economist* described it as courageous and the *Saturday Review* said it was more than anyone had expected.

The principal features of the Bill were as follows:

1. The sale of military commissions was to be prohibited and compensation given to all officers holding saleable commissions out of money voted by Parliament.
2. The Secretary of War was to be empowered to make regulations relating to the length of enlistments.
3. The jurisdiction of Lieutenants of Counties in military matters was re-vested in the Crown.
4. The ballot was to be used in the Militia, but there was to be no compulsory service.
5. In case of emergencies the Government was empowered to take possession of the railroads.

There were additional minor provisions, but the key to the whole was the first, and it was to that that the chief opposition developed.

The debate on the second reading was opened by Colonel Lindsay, a stout defender of purchase, who moved a resolution that the expenditure necessary for national defense did not justify a vote of £12,000,000 (his estimate) for abolition of purchase. Night after night Lindsay, Thomas Sinclair, and others attacked the Bill. The arguments they put forward were that abolition would be too costly and would ruin the regimental system—"the best in the world."

<sup>12</sup>*W.O.P.*, 32/114, pp. 1-21.

<sup>13</sup>Cardwell to Granville, November, 1870, *Granville Papers*, 30/29/68, p. 84.

<sup>14</sup>See *W.O.P.*, 33/22, p. 71.

<sup>15</sup>*Times* (London), February 17, 1871, p. 9

The Army was not too aristocratic, for if a good Army was wanted "it was absolutely essential that the gentlemanlike tone that now animates the officers . . . be maintained." Abolition meant promotion by selection, which "would cause ill-feeling in the Army . . . and make officers hate each other." A professional Army of the type Cardwell wanted would make England like Prussia—"neither more nor less than a military despotism." The competitive system would not produce men fit to be officers: "You want men who can go through regular routine duty; you do not want genius. You want good, strong, able-bodied men who can ride across country. Such a man is likely to be a good officer." Some were opposed to abolishing a system that had "existed for 200 years and . . . under which our great military successes have been achieved." Had the Secretary of War forgotten Balaclava? Others argued that the time was not yet ripe to abolish purchase, while still others charged Cardwell with having been unfair to the Volunteers.<sup>16</sup>

Few Government members supported the Bill in the House, and Cardwell was left to defend it almost single-handed. This he did most vigorously on March 16. First he very correctly observed that "the right time" would never come for those "who do not wish purchase abolished at all." As to Balaclava, it was magnificent to be sure, but "we cannot afford to have many repetitions of the Balaclava charge." The Volunteers, far from being mistreated, had received increased training grants. Conscription, which many favored, would be resorted to only in case of emergency. The chief thing they were now asked to do was to approve the abolition of purchase, for "to mention purchase is to condemn it. It is not known in

any other country; it would not be tolerated in any other service; and it is not admitted in the Artillery, the Engineers, the Marines, or the Navy." Its abolition would do just what its opponents said—give England a professional officer class. And this was precisely what England needed: "My impression is that if we pass this Bill, . . . its effect will be to attract to the Army the aristocracy of merit and professional talent, which is after all the true aristocracy." England needed an Army in which promotion went by merit: "Not money, not seniority, but selection on grounds of merit is the proper . . . [method] of promotion."

Those who had argued that purchase was the very life-blood of the regimental system were answered by a series of very pointed questions. "Is there no regimental system, no *esprit de corps* in the non-purchase regiments? Is there no *esprit de corps* . . . in the regiments of Prussia? Is there . . . [none] in the . . . Navy?" The assertions that for more than 200 years England had had good officers and had won its wars, Cardwell chose to ignore.<sup>17</sup>

Throughout March and April 1871, progress of the Bill was delayed by motions over petty details, which were moved, for the most part, by the "Parliamentary Colonels" in the hope of getting a better bargain for themselves, by Conservatives to badger the Government, and by some Liberals, who objected to the price that would have to be paid to accomplish the abolition. In May, the Bill not yet having been passed, it was suggested that Cardwell drop it. The Cabinet, however, decided to go on with it on every Government night until it passed.<sup>18</sup> On May 8, Colonel Anson declared that to give the State unrestricted

<sup>17</sup>*Hansard*, CCV, 123-147.

<sup>16</sup>T. C. Hansard, *Parliamentary Debates*, New Series, CCV, 57 *et seq.* (Hereinafter cited as *Hansard*.)

<sup>18</sup>*Gladstone Papers*, XXXIV, f. 57 (British Museum Additional Manuscripts, 44639).



power over the Army officers was an injustice to those officers, and moved a resolution that "the regulation value of their commissions should be at once returned to them." Some M.P.s who supported this motion did so because they did not want to pay over-regulation prices and assumed that they could avoid doing so by passing this motion and thereby setting the question permanently at rest. Others of the propurchase phalanx supported the motion because it appeared to them a good opportunity to get a large amount of money down plus prospects of further payment for over-regulation prices at a later date.

In opposing this motion, Cardwell pointed out that under the Bill all the contingencies, except death, that operated to reduce the value of a commission had been eliminated, and that the holder of a commission would at once receive a charge for the full value on the Consolidated fund. The *Times* declared that if Cardwell had erred at all it was on "the side of generosity to officers," and that many of them were now calculating what they would make by the Bill because the price of commissions was rising on the market.<sup>19</sup>

Throughout May the Bill was opposed in Committee by obstructionist tactics, such as amendments on details and motions to adjourn. Once only in all these debates did Cardwell become irked enough to show his displeasure. On May 11, Packington described the Bill as "a sop of democracy," and Cardwell acidly replied: Whatever sops to democracy Her Majesty's Government may be charged with offering, they at least will not offer this one—they will not come forward . . . as the advocates of rotten and condemned systems, doing it by modes and practices unaccustomed in the House of

Commons, and then by way of a sop to democracy pretend that they do it solely to save the public purse." He added that the time had now passed when the Army should be officered by men who regarded it as an amusement instead of a profession. "We live in times," he said, "when heroism will not do—when natural ability will not do—when all the virtues that adorn the British officers will not do, if not coupled with the most careful professional training."<sup>20</sup>

Then the "Parliamentary Colonels" demanded that before they agreed to abolish purchase, Cardwell explain his entire scheme of military promotions. This demand he silenced by simply reminding them that the future annual expenditures on retirement would naturally depend upon how many officers chose to remain in the Army under the new system.

Opposition in Parliament was serious enough, but Cardwell faced equally serious battles in other quarters. First, the Manchester School, in his own party, was more interested in the Ballot Bill and wanted it passed first. Gladstone and Cardwell refused to agree to this because they knew that if the Ballot Bill was passed, this group would desert the Government on the Army Bill. No ministerial pressures would have succeeded in keeping them at their posts during the summer, had not Gladstone insisted on keeping the Army Bill first on the agenda. The group was really indifferent to the Army Bill because a Commission Report had shown that the total cost of abolition would probably run to £9,924,336.<sup>21</sup> In general they did not want a better Army and were therefore indifferent to its reform.

Some Liberals, as well as Conservatives, wanted more for the money they were asked

<sup>20</sup>*Hansard*, CCVI, 689-692.

<sup>21</sup>*Sessional Papers* (House of Commons), 1871, XXXIX.

<sup>19</sup>*Times* (London), May 11, 1871, p. 9.

to vote—that “more” being the removal of the Commander-in-Chief from office. They feared the additional power that would accrue to the Duke of Cambridge if he had control of selections for promotion, once purchase was brought to an end. They would therefore support the Bill only if Cardwell promised that this task would be administered by a board of promotions.

There was difficulty in the Cabinet, too. Robert Lowe and Hugh Childers did not like the Bill at all, and even Gladstone, though he admitted to Cardwell that he did not understand the purchase system, protested that its abolition would be “very costly.” On the other hand, he did agree that the system had to be abolished.

There remained the Commander-in-Chief’s ill-concealed hostility to the Bill. Cardwell’s “manipulation” of the Duke shows him at his best in this type of action, and the Duke at his childish worst. On June 3, Cardwell wrote that Lord Sandhurst had told him that a feeling prevailed that the Army Bill, if not actually deprecated, was certainly not cordially supported by the Duke; that thus far the Duke had not publicly said anything in its favor; that the Government had a right to expect the Duke’s “open and cordial assistance.” The Duke replied that the Commander-in-Chief “ought to have no politics, and I have consequently most scrupulously refrained from taking part in any political discussion.” The next day Cardwell told the Duke that this was a military, not a political question, and tartly reminded him that it was Cardwell who had kept Parliament and the Government from limiting his term of office to five years. “Is it right,” he asked, “that I should defend you in the House of Commons on the grounds that you have given us your cordial assistance . . . and for doing so I receive at the same time your warm acknowledgments and then find that

we are impeded in carrying our measures by an impression that they are not cordially supported by you?” Members of the Government, he added, did not think that this state of affairs should be allowed to continue! This impression (of the attitude of members of the Government) might, he admitted, be unfounded, but in any event “a word from you would dispel it—and that word has not yet been uttered.”<sup>22</sup>

The debates on the Bill had been so acrimonious and so prolonged and the Government’s supporters so restive that the Cabinet suggested dropping parts of the Bill. Cardwell’s reply was that there were two cardinal parts of his Bill and several subordinate parts. The cardinal ones were abolition of purchase and the transference of the powers of the Lords Lieutenants of counties to the Crown. The subordinate ones were short service, removal of the statutory limit on the number of Militia, making Militia enlistment voluntary, giving local authorities power to borrow money for building barracks, placing Volunteers under martial law when brigaded with Regulars, and Government seizure of railroads in cases of emergency. To meet the wishes of the Cabinet, Cardwell agreed to curtail the Bill “saving only the two points I have spoken of as cardinal.”<sup>23</sup> Knowing that the Cabinet could not with good grace abandon the Bill, Cardwell insisted on his “cardinal points” and had his way.

On June 8, he told the House of Commons, in answer to questions about over-regulation prices, that he had ignored this facet of the problem because he would not ask the House to vote a sum of money in satisfaction of that which was strictly prohibited by law. Furthermore, he explained

<sup>22</sup>*Cardwell Papers*, 30/48/4-15, pp. 181-197.

<sup>23</sup>Cardwell to Gladstone, June 4, 1871, *Gladstone Papers*, XXXIV, f. 256 (Br. Mus. Add. MSS., 44119).

that if they got rid of over-regulations prices, they "must get rid of the regulation price, or in other words, deal at once with the whole question of purchase."<sup>24</sup> As long as there was traffic in commissions, over-regulation prices would be paid.

The following day he announced his intention of withdrawing the clause limiting the number of officers who could sell out in any one year (inserted originally for fear that too many might sell out at once, thus causing too sudden a drain on the Treasury), and all other clauses as well except the two "cardinal points." These, he told the House, "We are determined, by every effort in our power, to carry into effect."<sup>25</sup>

The *Times* at once charged him with having withdrawn so many clauses that the Bill was no longer an Army Reorganization Bill, but simply a Bill to abolish purchase. The *Manchester Guardian* attributed the "partial defeat" to the independent Liberals, who were averse to all expenditures of money, and whose sole interest in the Session was the Ballot Bill. Interest in the Bill was waning, and a weary House finally passed the "lean, rent, and beggared Bill" by a majority of 58 votes.

That very afternoon Cardwell wrote to Henry Ponsonby, the Queen's Secretary, that he regretted not having been able to carry the entire Bill, but that, had he insisted on doing so, "I should have failed in my main object [abolition of purchase] and brought not only the measure but the Government into difficulty . . . I do not think the Lords will venture to throw out the Bill."<sup>26</sup>

Yet that is precisely what the Lords did. On its second reading, on July 13, a motion of the Duke of Richmond to table the Bill

until the Government came forward with a complete plan of Army reorganization was passed and the Bill defeated. But Cardwell was not to be denied the prize he had worked so hard to gain. He believed that the Commons would not again in that Session pass the Bill and that postponing the abolition of purchase would seriously hurt the Army and delay other reforms he had in mind. Therefore, some other method had to be found for accomplishing this purpose.

Before the Lords had "done the deed," he had decided that if it became necessary he would have the Crown, by Royal Warrant, decree the abolition of the purchase system. On July 18 the Cabinet took this decision on Cardwell's insistence. The following day he wrote to the Queen: "The Act of 1809 renders all Purchase and sale of Commissions in the Army illegal and highly penal, except for such prices as may be laid down in any Regulations of the Sovereign, or Royal Warrants:—and the effect of the Warrant [already drawn up] will be to cancel all former Regulations and Royal Warrants and thereby to abolish the system of Purchase altogether."<sup>27</sup> The Queen, advised by Lord Halifax, Biddulph, and Ponsonby that it was entirely legal, signed the Warrant.<sup>28</sup> The date fixed was November 1—so as to give the Lords ample time to discuss those parts of the Bill that did not relate to money.

This action caused another storm to descend upon Cardwell and his colleagues. Lord Elcho described this resort to Royal Warrant as "a *coup d'etat*;" Disraeli branded it as "an avowed and shameful conspiracy" against the privileges of the Lords; the *Times*, though in favor of abolition of purchase,

<sup>24</sup>*Hansard*, CCVI, 1737-1738.

<sup>25</sup>*Ibid.*, 1922-1923.

<sup>26</sup>Cardwell to Ponsonby, July 3, 1871, *Cardwell Papers*, 30/48/1-3, pp. 108-109.

<sup>27</sup>Cardwell to Queen Victoria, *Ibid.*, p. 17.

<sup>28</sup>George E. Buckle, Ed., *Letters of Queen Victoria, 1862-1878* (London: John Murray, 1926-28), Second Series, II, 149.

denounced resort to the Warrant as "a violent wrench to the Constitution . . . unparalleled in the experience of this generation."<sup>29</sup> *Fraser's*, and other Conservative journals were furious, the former denouncing it as "ill-advised, unconstitutional, and subversive of the liberties of Parliament."<sup>30</sup>

The fact is, however, that the Government's action was perfectly legal. Purchase, having been created by Royal Warrant, could by the same means be abolished. Why, then, had this not been done initially to avoid months of wrangling debate? The reason is that Cardwell preferred to prohibit purchase by Statute law. Failing in this endeavor, there was nothing left to do but resort to the Royal Warrant.

It was the Lords who were now in a dilemma. No matter what they did, purchase was gone. And, unless they passed the rest of the Bill, the officers would not be compensated. Faced with this choice, they passed the Bill, accompanying it with a motion of censure on the Government.

With the issuance of the warrant and the passage of this Bill, the British Army, long enclosed in a network of vested interests, was at last taken out of pawn. It was delivered over to the Secretary of War, who now, for the first time in English history, had full control over the three parts of the Army: the Militia, the Volunteers and the Regulars. Henceforth there would be no limit to the size of that Army except the annual votes of the Commons. *Punch* analyzed the new position of the Army very well when it published the following notice to "gallant and stupid" young gentlemen: "You may buy Commissions in the Army up to the 31st day of October next. After

that you will be driven to the cruel necessity of deserving them."<sup>31</sup>

Cardwell's immediate problem now was to arrange with the Treasury for the purchase of the commissions, which immediately announced that it would buy up the commissions of those officers wishing to sell. Between November 1, 1871, and November 1, 1873, 888 officers settled their claims at a total cost to the nation of £2,013,205.<sup>32</sup> Almost at once, however, the War Office received numerous complaints from officers, singly and in groups, about unfair treatment they had received from the Commission.

These complaints became public on January 30, 1872, when a petition was circulated in the Commons by Army officers declaring they were worse off than before the abolition. When Cardwell saw the petition, he sent a copy of it to the Duke of Cambridge with a note stating that he (Cardwell) "could not reconcile this method of procedure with the spirit which ought to prevail in the Army." The Duke got the point and sent a circular to the officers, disapproving of their conduct.<sup>33</sup> But the officers were not so easily silenced: 2,245 of them promptly petitioned the Duke himself for redress of grievances. He, in turn, wrote a long memorandum to Cardwell on May 30, suggesting an enquiry by an impartial tribunal. The next day Queen Victoria, complaining about the "very bad feeling" that she said existed in the Army, also suggested the appointment of a commission of enquiry. When a similar demand was made in the House of Lords, Cardwell agreed to appoint such a commission. Consisting of the Lord Justice, Sir William M. James, Lord Penzance, and George W. Hunt, the Commission ultimately

<sup>31</sup>*Punch*, August 5, 1871, LXI, 43.

<sup>32</sup>See *W.O.P.*, 74/170, 171, and 172 (Army Purchase Commission Papers).

<sup>33</sup>*W.O.P.*, 32/18, n.p.

<sup>29</sup>*Times* (London), July 21, 1871, p. 9.

<sup>30</sup>*Fraser's*, V, 270.

reported that the officers' complaints were unfounded and that everything possible was being done properly to administer the purchase of commissions.

With the abolition of purchase an accomplished fact, a Royal Warrant was issued, defining the methods by which officers should in future be selected.<sup>34</sup> As to initial appointments, it declared that lieutenancies should be given to successful candidates only after a competitive examination, or to non-commissioned officers recommended by the Commander-in-Chief, or to candidates from the Universities, Queen's Cadets, Pages of Honour, and Lieutenants of Militia. Most of these would be required to take competitive physical and mental examinations. A Sub-Lieutenant who did not qualify for a Lieutenancy in three years would be removed from the Army. Lieutenants were given five years in which to qualify for a Captaincy, and the Captains five years in which to qualify for the rank of Major.

For a Lieutenant-Colonelcy (that is, command of a Regiment) promotion was to be by selection on the basis of merit. When a vacancy arose below that rank, the promotions in the several ranks required to fill the vacancy were to be given to the qualified senior officer of each lower rank. When a vacancy arose as the result of the promotion of an officer to the rank of Major-General, or by the death of an officer, or the officer becoming supernumerary, the vacancy would be filled by selection. Hence vacancies to be filled by seniority were such as could not be created by the voluntary act of the officers themselves, and officers as a result could no longer make secret monetary bargains.

With vacancies occasioned by the voluntary retirement of officers, promotion was to

be solely by selection on merit. To enable the Commander-in-Chief to know who was qualified for promotion and who was meritorious, it was ordained that general officers on Staff-employment furnish two inspection reports each July. One report would relate to the general efficiency of the Battalion; the other would provide an exhaustive summary of the efficiency, conduct, character, and attainments of every officer in the Regiment. This report must have appended to it the reports of each officer on the work of the officers of next lower rank. Hence it would be difficult for a Regimental commanding officer to prejudice by favoritism the interests of a subordinate. All reports had to be strictly confidential, and when an officer was adversely reported on, the Military Secretary was required officially so to inform him. Consequently it would be impossible for a man to be injured in the estimation of his officers behind his back.

From the Warrant and the accompanying instructions, it was now clear that on the whole any private soldier of exceptional gifts and character could count on being able to rise in the ranks of his profession.

Thus Cardwell, almost alone, had succeeded in abolishing the purchase of military commissions. The goal had been accomplished despite opposition within the party and in the Cabinet, lack of help from the Commander-in-Chief, and criticisms of the Queen. Gladstone was right when, in a speech at Greenwich, he referred to Cardwell's work in these words: "I venture to affirm that no man who ever held the seals of office since the Secretaryship of War was established, has done so much for the reform and efficiency of the Army."<sup>35</sup> With purchase gone, the way was now open for Cardwell to carry out the other military reforms since referred to as the "Cardwellian System."

<sup>34</sup>The warrant is given in full in *Granville Papers*, 30/29/68.

<sup>35</sup>Cited in *Times* (London), October 30, 1871, p. 3.