

THE STRANGE EDWARD HEMMERDE

E. G. Hemmerde was Liberal MP for East Denbighshire from 1906 to 1910, and for North-West Norfolk from 1912 to 1918, and then Labour MP for Crewe from 1922 to 1924. His political career was dogged by controversy, both over the state of his finances and through his dedication to his other career – as a successful lawyer, who held the post of Recorder of Liverpool for four decades.

David Dutton traces the strange story of Edward Hemmerde.



THE BIGGEST CASE OF HEMMERDE

ON 22 November 1910, in the midst of the second general election campaign of that year, it was announced in the press that E. G. Hemmerde, the sitting Liberal MP for East Denbighshire, would not, in fact, be defending his seat. As the political correspondent of the *Liverpool Daily Post* noted, the decision had been taken in deference to the urgent representations of the party's Chief Whip, the Master of Elibank, and 'members of the party even more prominent' that such a talented campaigner should not be wasted in defending a safe seat.¹ Instead, in what was expected nationally to be a close contest,² Hemmerde would transfer his attention to Portsmouth, one of the Liberal Party's key target seats, which was currently held by the Unionist frontbencher Lord Charles Beresford. The latter's alleged scaremongering about the dangers of invasion facing the country had made him a particular bête noire of the Liberal government. Elibank, recognising the 'ties of comradeship and friendship' that bound Hemmerde to the local Liberal Association, and acknowledging the inconvenience which his intervention

was bound to cause, none the less insisted that 'we live in days of crisis and we want our best men to lead our people where the fight is most strenuous'.³ It was a difficult request to resist.

Hemmerde had made his intentions known to a meeting of the East Denbighshire Liberal Party's executive committee on 21 November. A resolution was hastily passed unanimously expressing the committee's 'deep regret' at the prospect of losing their candidate but at the same time congratulating him on having been selected for such an important mission. 'We tender to Mr Hemmerde our most cordial thanks for the great services which he has rendered to East Denbighshire, and wish him every good luck in his courageous undertaking.' That evening the news was broken to a meeting of the party faithful and, two days later, a farewell reception was held at the Drill Hall, Wrexham, presided over by Alderman Edward Hughes, chairman of the local Liberal Party's finance committee. Hughes recalled that, four years earlier, it had been his privilege and pleasure to preside over the first meeting which Hemmerde had held in Wrexham as prospective

parliamentary candidate for the constituency. Now he had the privilege, 'but certainly not the pleasure', of occupying the chair as Wrexham Liberals said their good-byes to Hemmerde as their Member of Parliament and sent him forth 'to one of the biggest fights in the country'. Amidst concerted cries of 'for he's a jolly good fellow', Hemmerde took his leave setting out for the railway station and an uncertain electoral future in Portsmouth.⁴

Yet this public display of local Liberal unity and comradeship in the face of the broader needs of the national party bore little relation to the reality of Hemmerde's chequered career as East Denbighshire's MP, which had been mired in controversy and dispute from the start. After unsuccessfully contesting Shrewsbury for the Liberals in the general election of January 1906, Hemmerde shifted his attention to East Denbighshire only a few months later when the sitting Liberal member, Samuel Moss, was obliged to resign following his appointment as a county court judge. Even before his selection as candidate for the division, Hemmerde showed that he was not going to impede his own career aspirations by an over-scrupulous

Edward Hemmerde (1871–1948) as Recorder of Liverpool and leader of the Northern Circuit

adherence to prevailing conventions and norms. While the other Liberal hopefuls, responding to the expressed wishes of local party officials, refrained from holding any public meetings in the constituency, Hemmerde was already 'quite as active as though he were in the thick of the contest', arguing that the Liberal Association had no right to issue an edict banning such gatherings.⁵ When the Liberal selection process was reduced to a final choice between two hopefuls, Hemmerde again caused surprise by circulating an open letter to the constituency's electors in which he warned them not to 'be governed by Wrexham wirepullers'.⁶ It was even reported as 'an unpleasant rumour' that, if not chosen as Liberal candidate, Hemmerde intended to stand as an independent Labour candidate. In a constituency where the retiring MP had presented himself, at the recent general election, under the terms of the MacDonald–Gladstone Pact of 1903, as a joint Liberal–Labour nominee, such a prospect opened up the possibility of a Conservative by-election victory on a minority vote.⁷ In the event, with the backing of Edward Hughes, Hemmerde duly secured selection and went on to defeat his Conservative opponent.

Notwithstanding the circumstances of his selection, East Denbighshire Liberals seemed to have good reason to congratulate themselves on securing the services of a talented parliamentary representative, one who could look forward to a distinguished career. Born in Peckham in 1871 and educated at Winchester and University College, Oxford, where he took a first in Classical Moderations in 1892 before graduating with a B.C.L. (Bachelor in Civil Law) in 1896, Hemmerde had already embarked upon a career at the bar. Intellectual distinction was matched by sporting prowess. Hemmerde excelled at cricket and football, threw the hammer against Cambridge and won the Diamond Sculls at Henley in 1900. Strikingly, in view of what would happen later, the press commented upon evidence of his readiness to address public meetings in this

constituency and elsewhere.⁸ To the electors of East Denbighshire Hemmerde presented himself as 'an advanced democrat, in sympathy with both Liberal and Labour Parties and believing that the Liberal Party can best serve the nation's interests by pressing forward those reforms which the Labour Party demands, and has a right to demand'.⁹ To the pleasure of many of his new constituents he also supported home rule for Wales.

But it was not long before Hemmerde showed signs that his responsibilities as an MP would not be allowed to stand in the way of his legal career. In August 1907 he went to Jamaica and, after being called to the Bar there, appeared in a series of cases against insurance companies arising out of a famous earthquake fire. His letter at this time to Edward Hughes must have caused the latter some concern:

I shall rely upon you to keep things turning in E[ast] D[enbighshire] while I am raking in the fees out here, and endeavouring to make a big reputation which may take me a long [way] towards being a K. C.¹⁰

Hemmerde won his cases and also successfully contended the Appeal case in the Privy Council, as a result of which the companies paid out about £700,000 in claims and £75,000 in costs.¹¹ The young barrister could not conceal his joy:

I have had the most wonderful success: have smashed up the opposition at every point of the game, have netted £3500 and expect to double that before May, have applied to the Lord Chancellor for silk, and have generally covered myself with glory.¹²

Hemmerde duly took silk in 1908 and, the following year, became Recorder of Liverpool. It was a surprise appointment, not least because this office carried a higher salary than any Recordership outside London. It also necessitated his resubmission to the voters of East Denbighshire in a further by-election – though it is clear that he initially hoped

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that Hughes could use his influence to avoid an actual contest. At thirty-seven he was about fifteen years younger than any previous holder of this post, and friends confidently predicted that he was now well placed to 'break other records'.¹³ But Hemmerde's advancing legal career merely served to bring to a head mounting tensions in his relationship with his constituency. Feeling was growing among local Liberal activists that Hemmerde was neglecting the routine, but necessary, duties of a constituency member. For his part, the MP, like many others with no great wealth to fall back on, had a clear (and strictly limited) perception of what could be expected of an unpaid MP who also had to earn his living. He was, not surprisingly, a declared advocate of the payment of members to make 'Parliament open to all men regardless of their wealth'.¹⁴ A letter to Hughes in June 1908 defined Hemmerde's position with brutal clarity:

I foresee difficulties of the gravest character unless you and my other friends will realise what my position in London is. It is absolutely impossible for me to leave my business in the middle of a week and attend meetings or Eisteddfods. I should be ruined if I did. I say this because there is a constant under current of dissatisfaction at my not being present on this or that ceremonial or political occasion ... It is quite obvious that you yourself have no idea of the strain upon a busy barrister. You constantly suggest my presence at functions which are nothing to do with serious political work.¹⁵

For the first time Hemmerde even hinted that he might, with regret, be forced to seek another seat at the next election if attitudes among local Liberal officials did not change.

For his part Edward Hughes refused to accept Hemmerde's definition of what it was and was not reasonable to expect of a constituency MP, especially when this worked to the detriment of the local party. The member's reluctance to attend a temperance

meeting in the constituency gave rise to a particularly heated exchange between the two men. There were, Hughes insisted, 'strong undercurrents' and Hemmerde's 'friends on the spot' were fully alive to these and concerned about his interests. They 'deem it best that you should be in the front on every possible occasion; and you must allow that they know what is best to be done for the purpose of securing your position'. If Hemmerde failed to attend, it was impossible to estimate the damage that might be done. It would be 'equivalent to "chucking" the seat away' and the fact that the leading Labour figure, Arthur Henderson, would be in attendance only served to underline the importance of the MP's presence. 'Welsh people who are so intensely interested in this matter can never be brought to agree that a Social Engagement should be placed in front of the claim of your constituency.'¹⁶ But Hemmerde could not be moved and he complained of the 'lack of consideration' with which he had been treated in this matter. The real reason for his absence, he insisted, was that a rest from the strain of public speaking and of long train journeys had become 'absolutely imperative'. He refused categorically to represent East Denbighshire, or any other constituency, on the basis Hughes suggested. 'I shall not be present,' he concluded. 'You can take this as definite and final.'¹⁷

By the autumn of 1909, as the country moved uneasily towards a constitutional crisis over the rejection of Lloyd George's budget by the Conservative-dominated House of Lords, the prospect of another general election was in the air. Hemmerde viewed such a possibility without enthusiasm. He was 'so thoroughly tired out' – presumably more as a result of his legal than his political work – 'that I am quite prepared to retire'. Indeed, he would 'rather retire than go once more round the constituency before Xmas'. He had, he asserted, the offer of 'several safe seats'. East Denbighshire would have to accept its MP on his terms or not at all:

I am sick of the talk of friction in E[ast] D[enbighshire]. If they

E. G. Hemmerde, depicted by 'Spy' (Leslie Ward) in *Vanity Fair*, 19 May 1909; the caption is 'The New Recorder'



are tired of me I will go. But I decline to degrade myself to the level of the party hack who hugs his constituency for dear life, platitudinising with his friends. I think I am cut out for better things and I shall act upon that belief.¹⁸

In the event Hemmerde failed even to appear in the constituency until a matter of days before the voters of East Denbighshire went to the polls. It seems that the MP was worried about the expense of another contest, his fourth in four years, and intended, through his absence, to lead by example as far as the avoidance of expenditure was concerned:

I can only fight now on condition that economy is practised down to the smallest detail. Please protect me in every way. I think that everything ought to be done inside £500 and I cannot pay more. The election must be conducted upon that understanding and all expenses which cannot be brought within this limit must be ruthlessly cut off.¹⁹

With the Liberal candidate accepting speaking engagements in neighbouring constituencies rather than his own, Hughes had, in practice, to lead the local campaign himself. His pleas that Hemmerde should reorder his priorities – ‘we find it absolutely impossible to do the work within that time [seven days], and we ask that you will arrange to cut out one of the Flintshire meetings’ – were in vain.²⁰ Indeed, it is a tribute to Hughes’s own electioneering skills, and an indication, perhaps, that the voters were not unduly troubled by having a largely absent MP, that Hemmerde still managed to increase his majority over his Conservative opponent.²¹

Nationally, the general election of January 1910 led to a near dead-heat between the Liberal and Conservative parties. But the conditional support of the Labour and Irish Nationalist members enabled Asquith’s government to remain in office and seek a resolution of the constitutional crisis occasioned by the Lords’ rejection of the budget. When inter-party

negotiations failed to produce a settlement, the government determined to introduce legislation to limit the powers of the upper chamber, a development which necessitated a further general election before the end of 1910. It was against this background that Hemmerde decided to accept the Chief Whip’s invitation to contest the Conservative seat of Portsmouth and sever his increasingly strained links with the voters of East Denbighshire.

At first it seemed that this second general election of 1910 would witness one further round in the difficult partnership between the MP and his local party. In another angry exchange of letters between Hemmerde and Hughes, the former denounced the ‘cruel and wicked’ charge that he had been ‘neglecting the Division’ and pointed to ‘one long succession of illness and domestic worry’ to explain his absence and his poor record in the House of Commons division lobby. Recognising that ‘a good many’ in the constituency would regard a serious breakdown in his health as ‘God sent’, Hemmerde promised to give his critics ‘something serious to think about in the course of the next few weeks’.²² By this stage the MP’s smouldering feud with Edward Hughes was coming into the open for the first time. Finally persuaded to address an audience at Rhoson-Sea, in early October, Hemmerde could not hide his feelings for the man who was chairing the meeting. As the local newspaper reported, ‘a vulgar attack had been made upon him, suggesting that he had refused to subscribe to propaganda work’. If there had been any misunderstanding, ‘it had been Mr Hughes’s fault’. Hemmerde seized the opportunity to voice some of the grievances, particularly financial, that had characterised his relationship with East Denbighshire ever since his first election. He ‘should not be one of the subscribing Members of Parliament, and he should not be one of the bazaar opening members’. He regarded the practice of trying to turn members into ‘some sort of relieving officer for the district’ as ‘degrading’.²³

In all the circumstances, and notwithstanding fulsome public expressions of regret, the MP and his local party were probably relieved that the Chief Whip’s intervention afforded them the opportunity to end their troubled relationship. Hughes’s correspondence with Hemmerde had scarcely been restrained hitherto, but if the need to maintain some sort of working relationship had previously imposed an element of discretion, this final parting of the ways allowed the two men to drop the last pretence of civility. The latest cause of their antagonism was, predictably, financial – the payment for Hemmerde’s farewell gathering at the Drill Hall, Wrexham. If, Hemmerde stressed, the Executive of the East Denbighshire Liberal Association had ‘the incredible meanness’ to ask him to pay these expenses, he would do so, but only on receipt of a signed requisition from the executive officers. ‘I shall then know my friends in East Denbighshire.’ But for Hughes, personally, the retiring MP reserved his most barbed invective:

Your hypocrisy which, after you have heaped my wife and myself with a treachery which leaves Judas amongst the ‘also rans’, allows you to express an interest in our future happiness and prosperity, is to me simply nauseating, and I desire to have no further communication with you. For your own sake I can only hope that the price of your treachery may in some measure compensate you for the sacrifice of your honour.²⁴

Hughes, however, was not prepared to allow Hemmerde the last word and proved himself at least the MP’s equal in the matter of personal invective:

The vulgar abuse, contained in the concluding paragraph of your letter, is characteristic of you and if you had added to your other charges the additional accusation of my being a ‘Snob’ you would have correctly portrayed the characteristic features of your own record during the period of your representation of East Denbighshire, and accurately

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outlined the reputation which accompanied you into the division. Some of the best informed members of the party here believed the reports then circulated about you. I cannot now but come to the conclusion that their belief was well founded.²⁵

Hughes, however, was not finished. Hemmerde, he suggested, had not the remotest idea what generosity, loyalty or gratitude meant, while his 'personal and intimate acquaintance' with meanness, hypocrisy and treachery drove him to judge others by his own standards. The MP's record in East Denbighshire had been 'the concentrated essence' of his vices. His meanness was 'proverbial' while his snobbery left Pecksniff²⁶ among the also rans. 'That snobbishness which caused the constant reiteration of the alleged fact that you went to the same school as the Duke of Marlborough is only equaled [sic] by the nauseating conceit which prompted you to state that Mr Lloyd George did not welcome you into the Welsh party because he was jealous of your platform ability.' In sum,

You have used East Denbighshire for your own ends and would continue to do so if you had your own way. In your letter to me of 12 November last, the interest of the people of the division did not enter into the calculation, all you thought of was 'self' (to use your own words).²⁷

In between abusing one another, Hughes and Hemmerde had to give urgent attention to the forthcoming election. The latter's first intention had been to allow himself to be nominated for both East Denbighshire and Portsmouth so that, in the event of failure in his new constituency, he would still have the opportunity of returning to parliament. If successful in Portsmouth, however, he would leave the other division 'to work out its own salvation as best it could'. Hughes opposed this suggestion from the outset, so Hemmerde next suggested that a replacement candidate should be nominated by himself, presumably in

the expectation that such a figure could be persuaded to stand down should the need arise. Once again Hughes voiced his objections, claimed the right to be nominated himself, and informed Hemmerde that he would consider it a personal affront if he suggested any other name. Hughes, however, had no real wish to embark upon a parliamentary career and, as soon as Hemmerde had announced his intention of contesting Portsmouth to the East Denbighshire Executive Committee, left for London by the first train the following morning. After conferring with Elibank, David Lloyd George, Sir Herbert Roberts, the prospective chairman of the Welsh Liberal party, and the majority of the other Welsh members, Hughes managed to secure the services of Edward Thomas John, the director of a smelting and mining company and a committed Welsh nationalist. Returning to Wrexham, Hughes then persuaded the local executive to submit John's name, and his alone, to the Liberal 'Thousand' for formal adoption.

Realising that he had been outwitted, Hemmerde addressed a public meeting at which he tried to convey the impression that no replacement candidate had been found to succeed him and suggesting that the workmen of East Denbighshire could find a suitable nominee from among their own number. Ironically, in view of what had already passed in private, Hemmerde even seemed ready to offer financial support:

There were men in East Denbighshire who would be a greater credit to the British House of Commons than half the people who might be invited from outside because they could afford to fight. Let them try and find some young Lloyd George and let him (Mr Hemmerde) know if it was a question of money, he would see what he could do.²⁸

Several local party leaders left the platform on hearing Hemmerde's words, while Hughes himself received a veiled threat that, if Hemmerde should prove

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unsuccessful in his new constituency, there might yet be 'implications' for East Denbighshire.²⁹ In the event John's formal adoption passed without difficulty and he went on to defeat his Conservative challenger in the general election in December with a majority only slightly down from that secured by Hemmerde in January.³⁰ In the meantime, Hemmerde failed to unseat the sitting Conservative member in Portsmouth.³¹

Still under forty years of age, Hemmerde was keen to return to the House of Commons as quickly as possible, not least because he now nurtured ambitions of a ministerial career. A by-election in the safe Liberal seat of Keighley in Yorkshire in November 1911 was of obvious interest. The Chief Whip, however, had other plans and, 'in view of possible changes in the government', was keen to secure the early return to parliament of Stanley Buckmaster, who had narrowly lost his Cambridge seat in December 1910. Hemmerde's reaction echoed the outraged indignation that had so often characterised his exchanges with Edward Hughes:

I cannot tell you how amazed I am to see that the Government are attempting to get Buckmaster adopted for Keighley. It is difficult to speak or write coolly of so scandalous a breach of faith ... The matter is aggravated by the fact that in my absence from the House it is clearly the intention of the government to make Buckmaster Solicitor-General when Rufus Isaacs is promoted. He is not only to be given a seat which was promised to me, but solely for the reason that I am temporarily out of the House he is to be preferred to me for an office which my services to the party give me a greater claim to than do his.³²

Hemmerde's suspicions were in due course confirmed. Buckmaster was returned for Keighley and, in October 1913, when the Attorney-General, Sir Rufus Isaacs, was appointed Lord Chief Justice to be replaced by Sir John Simon, Buckmaster duly joined the government in Simon's old position of Solicitor-General.³³

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But it was not only competition from fellow Liberal lawyers with which Hemmerde had to contend. One man at least was determined to do his best to prevent Hemmerde's return to the Commons – and that was Edward Hughes. Hearing that the former's name was being considered for a vacancy in Gloucestershire, Hughes made confidential contact with the local party chairman. 'Although I was in large measure responsible for securing Mr Hemmerde's adoption here in 1906', he admitted, 'I should certainly not support him had I a vote in your division.' Hughes warned that, if he were not adopted, Hemmerde might still run as an independent candidate. If he did, 'please let me know and I will arrange for a strong contingent of Liberal leaders from East Denbighshire to come down to speak against him, including the Chairman of our Executive Committee and myself as Chairman of the Finance Committee'.³⁴

Notwithstanding Hemmerde's disappointment, Keighley was not in fact an ideal seat from his point of view. There was no Lib-Lab agreement in the constituency and the local Liberal party was dominated by 'a group which had little sympathy for the aspirations of the working class and which regarded the socialists as naïve dreamers and troublemakers'.³⁵ Hemmerde's claims for consideration in a more radical constituency were given a boost by his emergence as one of the leaders of the so-called Single Tax movement.³⁶ Followers of the American theorist Henry George, land taxers believed that the individual ownership of land was a fundamental evil. As land was essential to the creation of all other forms of wealth, and existed for the benefit of all, the solution was to impose a tax on the unimproved value of land. While land taxes were widely seen as a 'mildly progressive way to redistribute land-owners' wealth',³⁷ a group of so-called Single Taxers had emerged in the 1906 parliament, originally led by figures such as Alexander Ure, Solicitor-General and later Lord Advocate for Scotland, and Charles Trevelyan, MP for Elland in the West Riding of Yorkshire.

Such men believed that the proceeds of the land tax would eventually permit all other taxes to be abolished.

Disappointed by the land tax provisions in Lloyd George's celebrated 1909 budget, the Single Taxers determined to take their campaign to the people and attempted to make the taxation of land values the central issue of a number of by-elections in 1912. According to A. C. Murray, brother of the Chief Whip,

the group is running for all it is worth an extreme land policy, which in effect, although they deny it, amounts to a single tax on land values. The members of the group are becoming more arrogant every day, one of them having the audacity to say that there was no place in the Liberal Party for anyone who did not accept their policy.³⁸

In the most famous of the by-elections at Hanley in the Potteries in July, the advanced radical, R. L. Outhwaite, with Hemmerde figuring prominently in his campaign, captured a seat which had previously been held by the Lib-Lab MP, Enoch Edwards. Two months earlier, however, Hemmerde himself had stood as Liberal candidate in North-West Norfolk. This agricultural constituency was already held by the party, but the position was by no means secure and Hemmerde's success in retaining the seat was widely attributed to 'a campaign of robust Liberalism, on the lines of land reform'.³⁹

The reactions to this result by the leadership of the two main parties are instructive. The Chancellor, Lloyd George, who had sent Hemmerde an enthusiastic letter of endorsement on the eve of the poll, promptly set up a Land Enquiry and invited Hemmerde to become a member of it. Meanwhile, the Conservative Chief Whip pondered the electoral implications of Hemmerde's victory:

I do not like the Norfolk by-election. It is true we have reduced the Radical majority by fifty per cent, but the Radical victory will be treated as a

triumph, not for Home Rule, Disestablishment, or Insurance, but as a proof that Lloyd George's recent excursion into bucolic problems, is the only method of retaining the shires. A minimum wage of twenty shillings a week for agricultural labourers, and the further promise that the towns shall pay for the country – these are the implied results of the recent policy – to be embodied no doubt in a budget of 1913 contrived to re-establish falling Radical credit as was the case with the Finance bill of 1909.⁴⁰

In the event, Hemmerde proved less troublesome as a member of Lloyd George's committee than many, including the Chancellor, had anticipated. 'Hemmerde whom we all dreaded was specially helpful', reported Lloyd George in September 1913. 'That is what comes of [meeting] troubles in advance.'⁴¹ The reason for the MP's moderation must remain a matter of speculation. Quite possibly, his continuing hopes of a ministerial career necessitated a cautious approach to avoid alienating those upon whom his future advancement would depend. In addition, Hemmerde's determination to continue to pursue his legal career made him an irregular contributor to the committee's deliberations. This in turn was probably linked to his ongoing financial problems which had in no sense been limited to disputes over the financing of his former constituency party in East Denbighshire. In 1909, injudicious speculation on the stock market left Hemmerde facing the prospect of bankruptcy and disqualification from the Commons.⁴² His career was saved only when the celebrated charlatan, Horatio Bottomley, then Liberal MP for South Hackney, organised a round-robin collection of £10,000 among his fellow MPs.⁴³ Interestingly, in December 1908 Bottomley and three associates had been summoned for trial on a charge of conspiracy to defraud the shareholders of the Joint Stock Trust and Financial Corporation. While Bottomley defended himself, Hemmerde appeared on behalf

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of the accused company auditor, Dalton Easum.⁴⁴

Hemmerde, however, was nothing if not talented and resourceful. Beyond politics and the law he sought a third career, and possibly financial security, as a playwright, under the pseudonym of Edward Denby. His biggest success came with 'The Butterfly on the Wheel', written in conjunction with a fellow Liberal MP, Francis Neilson. In practice, Hemmerde's contribution was extremely limited. The third act was set in the divorce court and for this the barrister made 'a few technical changes'. Otherwise the play was Neilson's work. This, however, did not prevent Hemmerde from taking half the resulting royalties and insisting that all monies should be placed in one account.⁴⁵ The play was first produced in 1911 and enjoyed a West End revival a decade later. The two authors had met at the beginning of the century and Neilson offered considerable financial support to Hemmerde's early political career, including managing his interests during the

Francis Neilson (1867–1961), Hemmerde's co-author of 'A Butterfly on the Wheel'

East Denbighshire by-election of 1909, necessitated by Hemmerde's appointment as Recorder of Liverpool. A relationship of financial dependence soon developed. As Neilson later recorded:

When he was accepted by the [North-West Norfolk] Liberal Committee, I took my family to Hunstanton and remained in the division during the whole contest. Also, from my own purse, I paid the expenses of several well-known speakers. It was a difficult job I undertook, for, ever since Hemmerde had claimed half authorship and half fees in the plays, my wife and children regarded him as 'a very unpleasant person'.⁴⁶

After the war, by which time Neilson had settled in the United States after a brief career as MP for Hyde (1910–1916), Hemmerde began to spread the rumour that his own financial difficulties resulted from Neilson's failure to repay money owed. In 1921 Neilson's wife received 'a long letter which she regarded as a threat, if not something bordering on blackmail'.⁴⁷ Neilson found the whole affair 'most distressing' but, out of respect for Hemmerde's wife (whom Hemmerde divorced in 1922) and their children, decided not to follow his solicitors' advice to take his complaint to the courts. 'I now realise', he wrote in his memoirs published in 1953, and therefore after Hemmerde's death, 'that this was probably the reason why some of my former friends believed Hemmerde's claim was just'.⁴⁸

In the meantime Hemmerde had had to confront further crises in his political career. As with so many of his Liberal colleagues, his prospects were transformed by the impact of the First World War. His radical credentials made him inherently suspicious of the drift to all-out war, particularly after the one-time champion of Liberal radicalism, David Lloyd George, had taken up this cause in coalition with the Tory enemy. But, at the same time, Hemmerde distanced himself from Lord Lansdowne's call for a peace without victors or vanquished.⁴⁹ He wanted an allied victory, but a just one. Ironically, indeed,

Hemmerde was speaking in the Commons in December 1917 in favour of the fair treatment of Germany when his chambers in the Inner Temple were bombed. Hemmerde was thus an inevitable ally of Herbert Asquith in the deepening split which characterised Liberal politics after December 1916. But self-interest was never far from his mind and, with Lloyd George clearly holding most of the cards, Hemmerde suddenly reversed his position and voted with the coalition government in the crucial Maurice Debate of May 1918. When he was included in the select group of Liberal MPs invited to Downing Street on 12 November, it seemed that his reward would be the granting of the 'coupon' in the general election that autumn. To his dismay, however, this letter of endorsement, and the probability of electoral success which it entailed, was given to Hemmerde's Conservative opponent. Angrily, he withdrew from the contest and subsequently campaigned actively for the Labour candidate.⁵⁰ By 1920 Hemmerde, like many of the pre-war land taxers and, ironically, also E. T. John, his successor in East Denbighshire, had joined the Labour Party. In the general election of 1922 he was successfully returned for the Crewe division of Cheshire, where he defeated the sitting Coalition Liberal member by just 555 votes.

Hemmerde's political conversion, coupled with his re-election to parliament, breathed new life into his continuing hopes of a ministerial career. On the one hand the Labour party's fortunes were clearly in the ascendant, largely at the expense of the declining Liberals. More specifically, as Labour moved ever closer to forming a government, the question was bound to arise of the filling of key specialised offices. The 'scarcity value' of professional lawyers on the Labour benches 'meant that they achieved office relatively easily', opening up tantalising opportunities for one whom *The Times* described as 'one of the shining legal lights of the Labour Party'.⁵¹ Hemmerde's opportunity came when Baldwin called a surprise general election in December

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1923. Though the Conservatives remained the largest single party at Westminster, Labour, supporting free trade, emerged as the victors from an election fought specifically on the issue of tariffs. In Crewe Hemmerde increased his majority to nearly 6,000. The Labour vote held up well, but the intervention this time of a Tory candidate forced the Liberal into third place. Hemmerde was clearly optimistic about receiving office in the new government, not least because Henry Slessor, one of the few Labour lawyers who could claim a long-standing association with the party, failed to secure election in Leeds Central, a result that was perhaps not surprising granted the candidate's declaration that he was not a socialist as that term was generally understood.⁵² A rumour even circulated that Hemmerde might be given a peerage and become Lord Chancellor.⁵³

In the event, Lord Haldane became Lord Chancellor, the senior law office, the Attorney-Generalship, went to Patrick Hastings, like Hemmerde a recent convert from the Liberal ranks, while Slessor, notwithstanding his lack of a parliamentary seat, was quickly made a KC and given the

The opening ceremony for the Mersey Tunnel in July 1934, which caused Hemmerde such concern

post of Solicitor-General. Never one to keep his feelings to himself, Hemmerde made his bitter disappointment with Ramsay MacDonald's selections public.⁵⁴ Once again, his private financial problems may have been the crucial factor. In March 1921 Hemmerde had been the defendant in an action for the recovery of a debt dating from 1910 of £1,000 with interest at 7 per cent. Faced with this difficulty, he attempted to exploit a legal loophole by pleading that the debt was effectively cancelled by the Statute of Limitations, but the ruling of the court went against him. Hemmerde appealed and won, but the House of Lords later upheld the original judgement.⁵⁵ The resulting bad publicity may have been in MacDonald's mind when making his ministerial appointments in January 1924, especially as the Labour prime minister's relationship with Slessor was relatively cool.

Hemmerde's political career never recovered from this setback. The minority Labour government survived for only ten months, its collapse partly a function of Hastings's mishandling of the celebrated Campbell Case. In the ensuing general election, with the cash-strapped Liberals

withdrawing from many of the constituencies they had contested a year earlier, Hemmerde faced a straight fight with his Conservative opponent, Ernest Craig. As Crewe Liberals prepared to meet to decide what advice to give to their supporters in the constituency, a figure from Hemmerde's past re-emerged in an attempt to deliver the coup de grâce. Writing now as the Chairman of the Wrexham and East Denbighshire Liberal Association, Edward Hughes contacted his opposite number in Crewe. 'I do hope', he declared, that Crewe Liberals would decide to vote for Craig:

Mr Hemmerde was the Liberal member for this Division at one time. I am sending you a copy of a letter which will explain why he left Denbighshire. I think you will agree that this does not do him any credit. It was SELF and nothing else.

Hughes then turned to Hemmerde's debts, citing a figure of £56,000:

I enclose you an extract from the Gazette, from this you will note that the prospect



of his being able to pay his creditors will depend upon the Russian [Bolshevik] Government paying the debts of the former Russian [Tsarist] Government.⁵⁶

This was tantamount to asserting that Hemmerde's debts would remain unpaid. Beaten by more than 3,600 votes, Hemmerde now abandoned further political ambitions to concentrate on his legal career in Liverpool.

Granted the dignity of the office of Recorder, it might have been expected that Hemmerde's fortunes would now be less mired in controversy than they had been in his time as a politician. Yet the reverse was the case. Unlike many other industrial cities where Labour made rapid advance, Liverpool remained under solid Conservative control during the inter-war period. Hemmerde believed that his problems began as soon as he changed his political allegiance. As he later recalled:

Since I joined the Labour Party in 1920 I have never been invited to any civic function, except the Lord Mayor's dinner to the Judges. I was not even invited to the opening of the Cathedral. Before 1920 I had always been invited to take the Recorder's appropriate place at all civic functions.⁵⁷

It amounted, Hemmerde argued, to a ceremonial and professional boycott at the hands of the Liverpool Corporation. A further factor, he believed, was his refusal to toe an establishment line within the courts. It was, Hemmerde noted with scarcely veiled sarcasm, no doubt a coincidence that the Corporation had withdrawn all legal work from him immediately after he had appeared for certain Sinn Fein defendants at the Liverpool assizes. When the Town Clerk insisted that the Corporation 'had no intention whatever of offering any insult or offence of any kind' to the Recorder or his office, Hemmerde simply replied, 'I do not believe it'.⁵⁸ Further controversy arose following a case in 1921 when a group of unemployed protesters tried to occupy the city's Walker Art Gallery to gain

publicity for their cause. When the accused appeared in court it was noted that 'the heads of a number ... were swathed in bandages' and Hemmerde criticised the police for their 'unnecessary violence' and expressed the hope that this was not typical of the way the police behaved on such occasions.⁵⁹

This simmering quarrel dragged on for more than a decade, with Hemmerde expressing himself as forcefully as he had ever done in his political career. 'I have for the most part', he somewhat disingenuously suggested,

refrained from making any protest against the petty indignities and impertinencies which I have come to regard as merely the characteristic method by which the dominant political party in Liverpool thinks it decent to express its abhorrence of political freedom of thought.⁶⁰

In truth, Hemmerde remained obsessed, as he always had been, with his supposed station in life. The young MP who would not waste his time opening bazaars in his constituency had transmogrified into the middle-aged lawyer who refused to attend civic functions if he was not accorded his rightful place in the proceedings. Matters came to a head when Hemmerde objected to the order of precedence drawn up for the formal opening of the Mersey Tunnel by King George and Queen Mary in July 1934. When Hemmerde appealed to the Home Secretary, Liverpool's Tory grandees, fearful of the possible impact of public controversy upon their performance in the forthcoming municipal elections, turned to the veteran Conservative wire-puller, Lord Derby, for support.⁶¹ That wily operator had the experience of many decades of political manoeuvring upon which to draw:

I think it would be very difficult for me to ask the Home Office to postpone the decision about Hemmerde on the ground of political advantage in the election, but what I have done is practically the same thing, and is quite in order. I

'As a young man he promised more than he was ever able to perform ... But he was always too sensitive and too ready to complain and men who were far inferior to him in talent have often been more popular and more successful.'

have asked them not to promulgate any decision they arrive at before the Armistice ceremony on the 11th [November].⁶²

In the event, the matter was referred back to the city authorities and a report by the Town Clerk on the whole dispute, submitted to the City Council in June 1935, predictably found in the Corporation's favour.

In all the circumstances, it was perhaps surprising that Hemmerde held on to the Recordership of Liverpool for almost four decades, though the steady progress of the Labour Party within the city in the last years of his life no doubt eased his position. He died in post on 24 May 1948 after suffering a heart attack. Hemmerde had never ceased to practise at the Bar and 'though at one time it seemed as if he had been entirely eclipsed by younger men, he, in the end, found his practice increasing rather than diminishing'.⁶³ Nonetheless, it seems that the wealth which he craved never came his way. Hemmerde left effects valued at just £402 and died intestate. For all his shortcomings, he was not without merits, particularly in the courts. As a judge, suggested Professor Lyon Blease,

he was imaginative and humane. He was patient, courteous and dignified. He never forgot that the criminals who came before him were human beings, capable of redemption, and he did his duty fearlessly and in accordance with his conscience. He had his faults, but he never let even his faults get him down.⁶⁴

But the same commentator also offered a perceptive assessment of the faults which had held Hemmerde back, particularly in his political career, and which will serve as an appropriate conclusion to this essay:

As a young man he promised more than he was ever able to perform ... But he was always too sensitive and too ready to complain and men who were far inferior to him in talent have often been more popular and more successful ... He did

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not deserve the censure which was passed upon him, but members of the Bar and Members of Parliament must be above suspicion and both his forensic and his political careers suffered from what was more his misfortune than his fault ... But with all this incapacity to bear grievances with dignity, Hemmerde had something heroic about him.⁶⁵

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- 1 *Liverpool Daily Post*, 22 November 1910.
- 2 The general election of January 1910 had left the Liberals holding 275 seats to the Conservatives' 273.
- 3 Denbighshire Record Office, Glyndwr MSS, DD/G/2527, Elibank to R. A. Jones, chairman East Denbighshire Liberal Association, 21 November 1910.
- 4 *Wrexham Advertiser*, 26 November 1910.
- 5 Glyndwr MSS, DD/G/1492, unidentified press cutting 14 July 1906.
- 6 *Liverpool Daily Post*, 26 July 1906.
- 7 Glyndwr MSS, DD/G/1492, undated press cutting.
- 8 *Liverpool Daily Post*, 27 July 1906.
- 9 Glyndwr MSS, DD/G/1492, 1906 by-election address.
- 10 *Ibid.*, DD/G/2514, Hemmerde to Hughes, 27 August 1907.
- 11 *Vanity Fair*, 19 May 1909.
- 12 Glyndwr MSS, DD/G/2514, Hemmerde to Hughes, 27 December 1907.
- 13 *Vanity Fair*, 19 May 1909.
- 14 *Westminster Gazette*, 16 March 1907.
- 15 Glyndwr MSS, DD/G/2514, Hemmerde to Hughes, 17 June 1908.
- 16 *Ibid.*, DD/G/2514, Hughes to Hemmerde, 17 June 1908.
- 17 *Ibid.*, DD/G/2514, Hemmerde to Hughes, 18 June 1908.
- 18 *Ibid.*, DD/G/2514, Hemmerde to Hughes, 19 October 1909.
- 19 *Ibid.*, DD/G/2514, Hemmerde to Hughes, 27 December 1909.
- 20 *Ibid.*, DD/G/2514, Hughes to Hemmerde, 31 December 1909.
- 21 The full result was: E. G. Hemmerde (Lib.) 6,865; D. Rhys (Con.) 3,321.
- 22 Glyndwr MSS, DD/G/2514, Hemmerde to Hughes, 26 September 1910.
- 23 *Wrexham Advertiser*, 8 October 1910.
- 24 Glyndwr MSS, DD/G/2514, Hemmerde to Hughes, 27 December 1910.
- 25 Glyndwr MSS, DD/G/2514, Hughes to Hemmerde, 7 January 1911.
- 26 The archetypal hypocrite in Dickens's *Martin Chuzzlewit*.
- 27 Glyndwr MSS, DD/G/2514, Hughes to Hemmerde, 7 January 1911.
- 28 *Wrexham Advertiser*, 26 November 1910.
- 29 *Ibid.*, DD/G/2527, Hughes to Sir Herbert Roberts, 30 January 1911.
- 30 The full result was: E. T. John (Lib.) 6,449; A. Hood (Cons.) 3,186.
- 31 The full result in this two-member constituency was: Lord Charles Beresford (Unionist) 15,125; B. Falls (Unionist) 14,856; E. G. Hemmerde (Lib.) 13,146; H. Harben (Lib.) 13,013.
- 32 R. F. V. Heuston, *Lives of the Lord Chancellors 1885–1940* (Oxford, 1964), p. 259.
- 33 Precisely this pattern of events was predicted in the local press at the time of the Keighley by-election in 1911. *Keighley News*, 21 October 1911.
- 34 Glyndwr MSS, DD/G/2527, Hughes to J. Cooksey, 6 February 1911. Later in the year the efforts of the Whips' Office to ensure Hemmerde's selection for a by-election in Oldham were thwarted by the resistance of the local constituency party. *The Times*, 15 November 1911.
- 35 D. James, *Class and Politics in a Northern Industrial Town: Keighley 1880–1914* (Keele, 1995), p. 112.
- 36 After his re-election for East Denbighshire in the by-election of April 1909, the *Liverpool Daily Post* noted that Hemmerde was 'a strong advocate of the taxation of land values'. It judged that when the MP had said that his return would send a message to the government, he had in mind 'mainly the taxation of land values'. *Liverpool Daily Post*, 4 April 1909.
- 37 P. Mulvey, 'Henry George Foundation', in D. Brack and E. Randall (eds.), *Dictionary of Liberal Thought* (London, 2007), p. 163.
- 38 Murray diary, 19 July 1912, cited in H. V. Emy, 'The Land Campaign: Lloyd George as a Social Reformer 1909–14', in A. J. P. Taylor (ed.), *Lloyd George: Twelve Essays* (London, 1971), p. 48. P. Mulvey, 'Radicalism's Last Gasp? The British Liberal Party and the Taxation of Land Values, 1906–1914', www.schalkenbach.org/scholars-forum, p. 11.
- 39 R. Douglas, *Land, People and Politics: A History of the Land Question in the United Kingdom 1878–1952* (London, 1976), p. 156; I. Packer, *Lloyd George, Liberalism and the Land: The Land League and Party Politics in England, 1906–1914* (Woodbridge, 2001), p. 81.
- 40 J. Vincent (ed.), *The Crawford Papers* (Manchester, 1984), p. 276.
- 41 K. O. Morgan (ed.), *Lloyd George: Family Letters 1885–1936* (London, 1973), p. 165.
- 42 Packer, *Lloyd George, Liberalism and the Land*, p. 97.
- 43 R. S. Churchill, *Winston S. Churchill*, vol. 2, companion part 2 (London, 1969), p. 917. When Bottomley himself was jailed for fraud in June 1922, the only question was why he had acted with impunity for so long. G. R. Searle, *Corruption in British Politics 1895–1930* (Oxford, 1987), p. 338.
- 44 A. Hyman, *The Rise and Fall of Horatio Bottomley* (London, 1972), p. 99.
- 45 F. Neilson, *My Life in Two Worlds*, vol. 1 (Wisconsin, 1952), pp. 305, 307.
- 46 F. Neilson, *My Life in Two Worlds*, vol. 2 (Wisconsin, 1953), p. 63.
- 47 *Ibid.*
- 48 *Ibid.*, p. 65.
- 49 E. David, 'The Liberal Party Divided 1916–1918', *Historical Journal*, 13 (1970), p. 513.
- 50 T. Wilson, *The Downfall of the Liberal Party 1914–1935* (London, 1966), pp. 145–6.
- 51 D. Howell, *MacDonald's Party: Labour Identities and Crisis 1922–1931* (Oxford, 2002), p. 323; *The Times*, 30 November 1923.
- 52 J. M. Bellamy and J. Saville (eds.), *Dictionary of Labour Biography*, vol. ix (Basingstoke, 1993), p. 260.
- 53 *The Times*, 9 January 1924.
- 54 *Ibid.*, 23 January 1924; H. Slessor, *Judgment Reserved* (London, 1941), p. 93.
- 55 *Liverpool Daily Post*, 25 May 1948; *The Times*, 19 March 1921 and 14 June 1921.
- 56 Glyndwr MSS, DD/G/2526, Hughes to B. W. Furber, 24 October 1924.
- 57 Liverpool Record Office, Council Proceedings 1934–5, H352 COU, report by Town Clerk on dispute between Hemmerde and City Council, Hemmerde to H. Miller (Lord Mayor), 30 October 1929.
- 58 *Ibid.*, Hemmerde to W. Moon (Town Clerk), 8 September 1924.
- 59 *Liverpool Echo*, 13 September 1921.
- 60 Liverpool Council Proceedings 1934–5, H352 COU, report by Town Clerk, Hemmerde to H. Miller, 31 October 1929.
- 61 Liverpool Record Office, Derby MSS, 920 DER (17) 6/33, T. White to Derby, 23 October 1934.
- 62 *Ibid.*, Derby to White, 24 October 1934.
- 63 *The Liverpoolian*, vol. xiii, no. 6 (June 1948).
- 64 *Ibid.*
- 65 *Ibid.*