THE HISTORY OF THE MACES OF THE BRITISH AND CANADIAN PARLIAMENTS

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The Mace is an essential part of the regalia of Parliament symbolizing the authority of the Crown as exercised by the elected assembly. Its origins are shrouded in antiquity, although from time immemorial weapons of war have been associated with positions of tribal leadership. The spiritual beliefs and rituals of ancient religions contributed a mystical significance to these symbols of authority. The sceptre and the mace (from massue or masse, a club) are the modern equivalents of this historical tradition.

The Mace was a favorite weapon of the Middle Ages, assuming various forms depending on the fancy of its craftsman or owner. It has been described as the successor of the baston of the eleventh century, which was an iron-tipped staff or simply wooden bludgeon. It was not a blood-letting weapon, but could be used most effectively to smash through the helmet or armour of an opponent.

As a weapon it has been most closely associated with the martial bishops of the mediaeval period. They obeyed the canonical rule which forbade priests to shed blood and remembered the injunction that "All they that take the sword shall perish by the sword." The mace was an ideal weapon, it allowed the priests to accept a literal interpretation of these restrictions while leaving them with the ability to dispatch, with a good clean dent in the skull, their enemies of this world safely into the next without shedding blood. Maces are depicted in the famous Bayeux Tapestry being carried by William, Duke of Normandy, and Odo, Bishop of Bayeux. The Mace continued as a weapon until the late 16th century, though later examples seem to have been carried more as a sign of rank. The introduction of gun powder meant that combatants no longer needed to deal with each other at close quarters, and the usefulness of the mace diminshed significantly.

Ceremonial maces came into use during the reigns of Philip II in France and Richard I in England. A corps of Serjeants-at-Arms were armed with maces and sworn to protect the King's person. These maces were intended to be used as weapons but as the domestic security of

the Monarch became less problematical the Mace gradually assumed its present symbolic character. Richard II set a limit of thirty on the number of maces to be carried by his bodyguard. The duties of the Serjeants-at-Arms were to attend to the person of the King, to arrest offenders and serve the Lord High Steward when he sat in judgment upon a peer of the realm.

Early in the 13th century ceremonial maces began to be ornamented with jewels and precious metals. During that century the right to have a mace and a mace bearer was granted from time to time to different bodies including various universities and municipalities. Parliament presented a petition to Richard II asking that no serjeants of any town should be allowed to carry the town's mace beyond their own town limits. The King did not accede to Parliament's request. The towns and cities were rapidly gaining in importance particularly as a source of supply for the large number of troops likely to be needed for the King's next war. The gift of a mace was a special mark of royal favour indicating the monarch's personal appreciation of the loyalty and devotion shown by the residents of the locality so honoured. It was hoped that this would help ensure their continued willing support.

By the end of the Restoration the use of maces by civic corporations had become a matter of course, though still formally derived from the Crown. The presentation of maces by wealthy townsmen to their fellow citizens was made the occasion for a great banquet and lengthy speeches. These maces took on an additional and rather interesting feature. The crown at the top was usually so constructed as to permit the upper half to unscrew. This detached part then became a loving cup which, when filled with some cheering brew, would be passed around for the enjoyment of the assembled citizenry.

There is a very scant record of the earliest history of the Mace in the British Parliament. It is thought likely that it was introduced around the time of the separation of the two Houses. It is quite possible that the use of the Mace carried by a Serjeant-at-Arms in attendance upon the Speaker derived from the much earlier practice of the King calling and presiding over his own assemblages. The symbolism of both Mace and Mace bearer demonstrated that the Parliament was favoured by the Sovereign and was acting in his name. Blood letting was taboo, but the Serjeant-at-Arms, with his mace, could effectively subdue a recalcitrant member without making a mess. The first written mention of the Mace was in 1344 when the Commons protested the use of civic maces as an infringement of their prerogative. This can be taken as a demonstration that the Mace was used by Parliament at that time. For further documentation there is a description of the election of the Speaker in the reign of Elizabeth. After the Speaker had been confirmed he "departed with the other members of the House of Commons to their own House, the Serjeant of the same carrying the mace all the way before the said Speaker, which was in like sort before him until his return from the Upper House, being presented to the Queen...". This is very much the same routine which is followed today.

It is believed that the Mace referred to was the first Speaker's mace in England. Tradition has it that it was solid gold and that it mysteriously disappeared in the reign of Charles I. There is however no firm evidence for this. The great difficulty in writing a history of any but the most recent Maces is the problem of separating historical myth from fact.

However several well established incidents can be used to illustrate the importance of the Mace in the development of our parliamentary traditions. On an occasion in 1626, for instance, the House

was in a state of uproar and the Serjeant-at-Arms attempted to close the sitting by removing the Mace. On another occasion King Charles I attempted to suspend the proceedings of Parliament by sending for the Mace; needless to say the Commons did not comply. By the mid-seventeenth century, the Mace had come to be recognized for its essential role in the proceedings in the Legislature. Mr. Pym, a Member of the Commons, remarked in 1640 that "it is a new doctrine, that we can do nothing without a Speaker or the Mace". It has been suggested that the Members of the House of Commons fostered this theory in order to protect themselves from the risk of arrest by the Serjeant-at-Arms, a royal officer who, with the Mace out of his possession, was bereft of authority. The most famous occasion which demonstrated the indispensable nature of the Mace was on 10 April 1653, when Cromwell dismissed the Long Parliament. Having called in his soldiers to clear the house and having had the Speaker forcibly ejected from the Chair, he ordered one of his men to remove the Mace:

> "Take away that bauble. Ye are no longer a Parliament. The Lord has done away with you. He has chosen other instruments for carrying on his work".

This incident had the opposite effect to that which Cromwell intended, for instead of reducing the Mace to an object of ridicule and contemptible insignificance it established even more firmly the tradition that the House could not sit without it. The Mace was returned to the House when the Monarchy was restored to Britain in 1660.

There have been modern incidents where members have wrestled with each other for possession of the Mace. On 17 July 1930 a British Member named Beckett attempted to carry away the Mace as a protest against the naming of another Member by the Speaker. Such an offence against the Mace is considered to be "grossly disorderly conduct" and Beckett was named for this offence.

The Mace is the symbol of the authority of the Speaker in the House of Commons, as Lord Campion has stated, "the authority of the Speaker and the House are indivisible". Without the Mace, the Legislature is not considered to be properly constituted and no proceedings may take place for while there may be a Deputy Speaker there is no Deputy Mace.

Through the passage of time a very deliberate and definite etiquette has evolved in the use of the Mace. The British and Canadian procedures regarding the legislative role of the Mace are very similar. The position of the Speaker in the Canadian House of Commons is identical with that of his British counterpart except that in Canada it is no longer customary for a new Speaker to seek or obtain royal approval. This innovation originated in the refusal of Lord Dalhousie to confirm Louis Papineau as Speaker of the Assembly of Lower Canada in the late 1830's, and except in some provinces, it has since become standard Canadian practice.

When a new House has been elected and proceeds, on its first meeting, to the selection of a Speaker, the Mace is placed on a cushion on the floor under the Table of the House and the Clerk of the House officiates. When the newly-elected Speaker takes the Chair the Mace is placed upon and across the Table with the orb and cross pointing towards the Government benches. No Member is at any time allowed to pass between the Chair and the Table, or between the Chair and the Mace when it is taken off the Table by the Serjeant.

The Mace always remains before the Speaker while he is carrying out his official duties in connection with the

Commons. It is borne into the Chamber before the Speaker by the Serjeant-at-Arms on his right shoulder and before the Speaker kneels to say the opening prayer the Mace is laid across the Table. It remains there while the Speaker is in the Chair. The House frequently suspends its sittings, but without adjournment, and the Mace remains upon the Table, and, on the Speaker returning, business continues as if no interruption had occurred. When the House goes into Committee of the Whole House, the Speaker leaves the Chair and a deputy acts as Chairman of the Committee. Then the Mace is placed across two hooks under the end of the Table, being returned to its old position upon the Speaker's resumption of the Chair. This procedure may have been altered somewhat as a result of a curious incident which took place in the British House of Commons on 6 December 1961. During a heated debate with the House in Committee, the Chair was assumed by the Deputy Speaker who suspended the sitting for half an hour. In the confusion the position of the Mace was overlooked as it remained in the lower brackets. When the House resumed the validity of the suspension was challenged and the House adjourned to await a ruling from the Speaker which was given on the following day. The Speaker ruled that while an act of the House, such as a vote, would probably be invalidated if the Mace were in the wrong position, an act of the Chair in isolation, would not be so invalidated.

The Mace may be employed to enforce the attendance of committeemen, sitting on special or other committees, at times when the Speaker finds it impossible to otherwise make a House, at the hour for the commencement of the day's session. The appearance of the Serjeant with the Mace dissolves any committee then sitting. So as to avoid this possibility, it is usual to send a messenger in advance to announce the coming of the Mace to give the committee time to adjourn. When a representative of the Upper House comes to the Commons on official business he must ask leave to enter. When the Speaker grants permission the representative is escorted in with the Mace. This is an integral part of the ceremony when the Commons is summoned to the Upper House to hear the Speech from the Throne as well as other occasions. When the Speaker leaves the House at its adjournment, the Mace is again borne before him and remains in his offices until the next sitting.

Whenever the Speaker and other Members of the House of Commons proceed anywhere as a House, as for instance when they adjourn to the Bar of the House of Lords (Senate) to hear the Speech from the Throne or Royal Assent signified to Bills, they are preceded by the Serjeant-at-Arms bearing the Mace. On these occasions, the Serjeant does not carry his Mace into the House but leaves it outside with one of the Commons doorkeepers. If Parliament is to be prorogued, the doorkeeper carries the Mace back to the Commons Chamber and thence to the Speaker's office where it is carefully stored. Only on certain rare occasions has the Speaker of the Commons entered the Upper House preceded by the Mace namely, in the event of an impeachment, the petitioning for an arraignment and if a conviction has been procured for the pronouncement of the judgment.

If the Sovereign is present in person upon any formal occasion outside the House of Lords (Senate), as when King George VI attended Westminster Hall for the opening of the new Commons Chamber in 1950, the Mace is covered with a cloth, the symbol being unnecessary in the presence of the actual authority. If both Houses attend a state function together the House of Commons Mace is covered in the presence of the House of Lords (Senate) Mace, signifying that the royal authority in Parliament is transmitted through the medium of the Upper House. In the presence of the Sovereign herself both Maces would be covered.

In the British and Canadian Houses of Commons the authority vested in the Mace is extended to its bearer, the Serjeant-at-Arms under the orders of the Speaker. It is the Sergeant's principal duty to see that the orders of the Speaker are carried out. In the House of Lords and the Canadian Senate this role is carried out by the Gentleman Usher of the Black Rod; although it is the Assistant Gentleman Usher who is the bearer of the Mace in the Speaker's daily parade and at other ceremonial occasions. According to the authoritative work on Parliamentary procedure by Erskine May "in earlier times it was not the custom to prepare a formal warrant for executing the orders of the House of Commons, but the Serjeant arrested persons with the Mace, without any written authority, and at the present day he takes strangers into custody who intrude themselves into the House, or otherwise misconduct themselves, in virtue of the general orders of the House and without any specific instruction", and the Speaker, accompanied by the Mace has similar powers. May has also indicated that "when a witness is in the custody of the Serjeant-at-Arms, it is the usual, but not the constant, practice for the Serjeant to stand with the mace at the bar. When the mace is on the Serjeant's shoulder, the Speaker has the sole management: and no member may speak or even suggest questions to the Chair". To obviate this difficulty, it is now customary to place the mace upon the Table when a witness is at the bar, so that any member may propose a question to him through the Speaker. Although the Mace is carried by the Serjeant it remains under the control of the Speaker.

The present Mace of the British House of Commons dates from 1660 and has been described as follows in Sir Bryan Fell's Houses of Parliament (1944):

> "The Mace is silver-gilt and measures 4 ft. 10½ in. in length. The shaft consists on one short and two long throughout with longitudinal branches from which spring roses and thistle flowers. The head is divided into four panels containing respectively a crowned rose, a thistle, a harp, and a fleur-de-lis. The whole is surmounted by a Royal Crown with the orb and cross. On the cap are the Royal Arms with the garter supported by crowned lion and unicorn, with the motto Dieu et mon droit and the initials C.R. The Mace is not hall-marked and bears no inscription, date or maker's mark."

The British in fact have 11 Maces which were wrought in the time of William and Mary, with the Georgian Coat-of-Arms reimposed later. Two of these are in the House of Lords, one in the Commons and the rest in the Tower of London. They are the Monarch's personal property lent to the House of Parliament as emblems of his authority. The Maces of the Canadian House and Senate follow a design which is fundamentally similar to those at Westminster. The Mace of the Canadian House of Commons is an almost exact replica of its British counterpart with the addition of some Canadian heraldry.

It has been suggested that England originally had 12 Maces of which one disappeared and it is possible that the Mace of the Canadian Senate is that which is missing; although there is no evidence to substantiate such a claim. Like the British Mace the head of the Mace of the Canadian Senate is divided into four panels. There is a fleur-de-lis in one panel, a harp in another; the rose and thistle are combined in the third panel to leave space for a replica of the Great Seal of Lower Canada. The application of a Great Seal is highly unusual, the use of a Coat-of-Arms being much more common. Across the seal is superimposed the following inscription: "ipso ducit opes animumque ferro" which translates: "From the sword itself she derives her wealth

and resolution". This is unique as it does not appear to be part of the original Great Seal. The quotation is from Horace Odes IV 4, 59-60, and is pertinent to French Canada's view of its history after the conquest. Horace is describing how Aeneas and his clan came after the sack of Troy to the West to found Rome, and "how as a pine tree when its dark branches have been hacked away with cruel axes on tree clad Mount Algidas, it draws strength and courage from the very steel. The more it is cut the stronger it becomes".

There is a good deal of confusion as to the origin of the present Senate Mace. Evidence exists that a Mace was used in the Legislative Council of Lower Canada and the Great Seal on the Senate Mace indicates a relationship. The first Legislature of Lower Canada met on December 17, 1792. On December 24, the Council ordered:

> "That the sergeant-at-arms attendant on this House be provided with a mace for the like uses thereof by him to be made of the mace by the sergeant of the mace in the Lords House in Parliament of Great Britain...".

The first reference to the use of the Mace in the Legislative Council was the occasion of a new Member taking his seat on 7 February 1793. Unfortunately there are no Hall Marks to indicate the date of manufacture. The experts consulted on this matter have offered a wide range of advice. It has been suggested that the arms appearing on the head of the Mace represent the reign of King George III (1791-1820). Another expert who was consulted about the material and manufacturing processes indicated a date somewhat after 1840, noting that it is possible that some parts could have been made earlier and might have formed part of another object or objects.

It seems unlikely that the Senate Mace is the original Mace of the Legislative Council of Lower Canada. There is good evidence that such a Mace existed and if it is not the present Senate Mace then this Mace has reproduced some of its salient features. According to a footnote in Bourinot (1896), Mr. Jennings Taylor, for many years the deputy clerk of the Senate, had stated that the Senate Mace had definitely belonged to the old Legislative Council of the United Province of Canada, that it had been saved from destruction by fire at the time of the riots in Montreal in 1849 and was subsequently rescued from fires on two occasions in 1854. It was saved again during the fire in 1916 which destroyed the Parliament Buildings in large part due to the courage and devotion of Lieutenant Colonel Ernest J. Chambers, Gentleman Usher of the Black Rod.

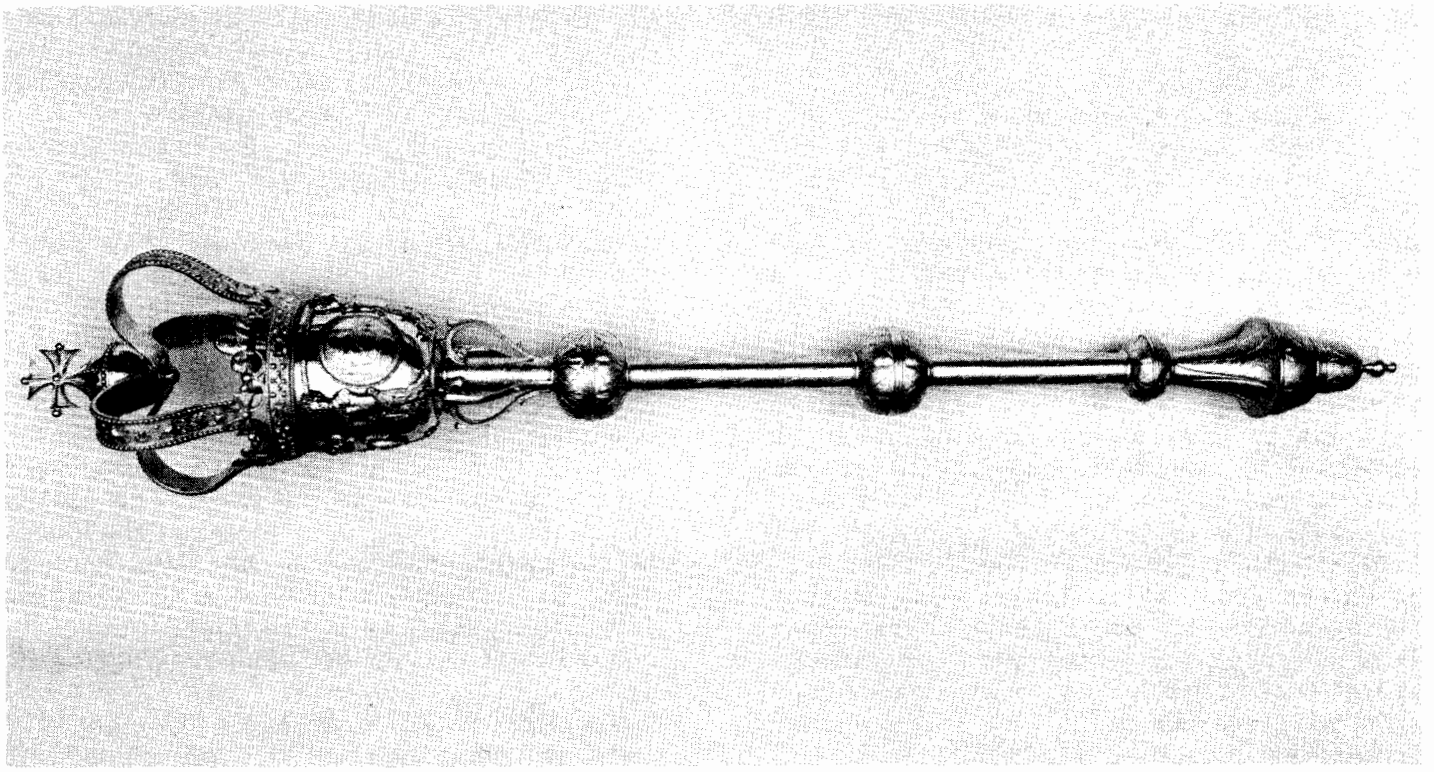
The first Upper Canadian Parliament was assembled by Governor Simcoe at Niagara, then known as Newark, in 1792. Although the colony was rough and the surroundings largely rural and underdeveloped the Governor appears to have been interested in displaying the paraphernalia of Parliament for all to see. A very primitive wooden mace, painted red and gilt and surmounted by a crown of thin brass strips was probably used in this first assembly. It is certain that it was used in the first Parliament Building when the assembly was moved to York (Toronto).

During the war with the United States in 1812-1814, when the Americans captured York and burned the Parliament Building on 27 April 1813, the Mace of the House of Assembly of Upper Canada was carried away by the Commodore of the invading forces and kept as a treasured trophy in the Museum of the American Naval Academy at Annapolis, Maryland. Over a hundred years later, as a gesture of good will and at the invitation of President F.D. Roosevelt, the Congress of the United States returned the Mace to Canada

on the occasion of Toronto's Centennial celebrations in 1934. It was carried by the Serjeant-at-Arms at the opening of the first session of the Nineteenth Legislative Assembly of Ontario and was then placed in the Royal Ontario Museum. A place of honour is presently being prepared for this Mace in the Parliament Buildings, Queen's Park.

Very little is known of the Mace used in Upper Canada from 1813 to the Union of the two Canadas in 1841. After the union, Sir Allan MacNab, as Speaker, recommended the purchase of a new Mace and this was obtained in 1845. Made of silver and gold it was a close facsimile of the Mace of the British House of Commons. This Mace has had a spectacular history. It was stolen by one of the leaders of the mob which set fire to the Parliament Building in Youville Square, Montreal, in April 1849. The Sergeant-at-Arms in an attempt to defend the Mace drew his sword but he was struck down by an axe handle wielded by the thief. The apparent intention was to destroy the Mace in a public demonstration but it was rescued and returned to Sir Allan McNab the next day. It was rescued again in 1854 when the Parliament Buildings were destroyed by fire in Quebec and saved for a third time, a few months later, when the building, then in preparation for meetings of the Legislature, was consumed. This Mace continued to be used by the Union Parliament until Confederation at which time it was transferred to the House of Commons.

On the evening of February 3, 1916, the Parliament Buildings were gutted by fire. The Senate Mace was saved but the House Mace was not. When the fire alarm was raised everyone left as quickly as possible without thinking of the Mace. Colonel Smith the Serjeant-at-Arms and custodian of the Mace was outside the

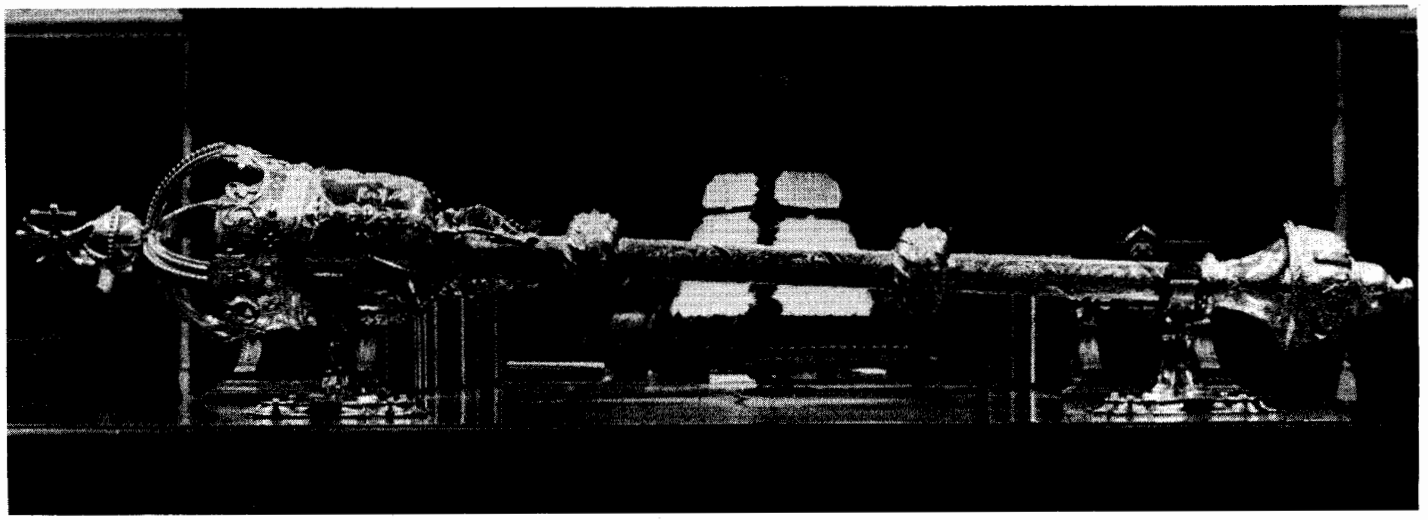


The Senate Mace

Chamber at the time. When the alarm reached him he tried to enter the House to rescue the Mace, but smoke and flame prevented him from doing so. Two or three days later, when the interior of the Commons had cooled, all that was left of the Mace was a little ball of conglomerate with a gold and silver content, about the size of a man's fist.

After the fire, Parliament met in the Victoria Museum and the House used the Senate Mace until a new symbol could be secured. A temporary wooden mace soon was provided and served for a brief period of time. In June 1916, the City of London donated the present Mace to the House of Commons. Its design is similar to the Mace which was lost in the fire and contains the conglomerate which had been retrieved from the ruins. It remains a most excellent and beautiful example of the silversmiths craft. It is made of silver with heavy gilt. The head is divided into four panels containing the Arms of Canada, the Rose of England, the Harp of Ireland and the Thistle of Scotland. Above is the royal crown with "G.R." placed on either side, and a beaver in bold relief.

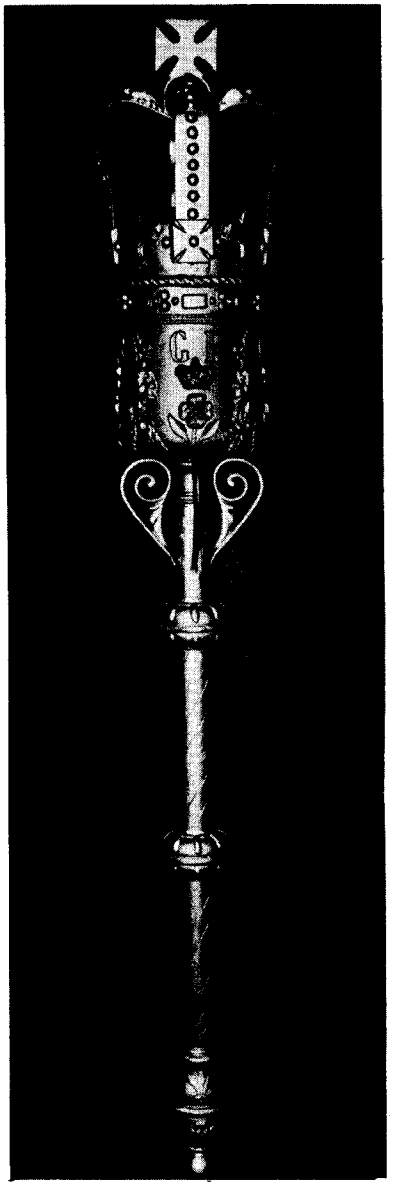
The Mace is the preeminent symbol of the authority of Parliament. It serves as a strikingly beautiful and very special reminder of the great breadth of our heritage and as a link between both our ancient monarchical and democratic traditions. The Maces of the Canadian Senate and House of Commons have borne witness to unfolding drama of Canadian parliamentary history.



The House of Commons Mace

The temporary Mace that had been in use in 1916 was loaned by the Canadian House of Commons to the House of Assembly of the Bahamas in 1965.

During a particularly acrimonious debate in the Bahamanian Assembly in 1965 the Leader of the Opposition had thrown their Mace out of the window thus splitting it in twain. When the Canadian Speaker, Hon. Alan Macnaughton, learned that the Bahamian Mace would not be repaired in time for the next meeting of the Assembly he offered the loan of the Canadian Mace. This was deeply appreciated. Our Mace was soon returned freshly gilded. It is now securely kept in a display case in the Speaker's office.



The Temporary Mace

A FURTHER ARTICLE WILL APPEAR IN THIS JOURNAL ON THE CANADIAN PROVINCIAL AND TERRITORIAL MACES.

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